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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Delegations
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) (Text with EEA relevance) <i>- Four-column table</i>

Delegations will find attached a table containing, in the first column, the Commission proposal and, in the second and third columns, the European Parliament's and the Council's negotiating positions.

This four-column table will serve as the basis for the interinstitutional negotiations.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2023/0228 (COD)	2023/0228 (COD)	2023/0228 (COD)	2023/0228 (COD)
Proposal Title				
2	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) (Text with EEA relevance)	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) (Text with EEA relevance)	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) (Text with EEA relevance)	
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,	
Citation 2				
5	Having regard to the proposal from the European Commission ¹ , _____	Having regard to the proposal from the European Commission ¹ , _____	Having regard to the proposal from the European Commission ¹ , _____	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. OJ C 199, 14.7.1999, p. 1.	1. OJ C 199, 14.7.1999, p. 1.	1. OJ C 199, 14.7.1999, p. 1.	
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C 329, 17.11.1999, p. 15.	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C 329, 17.11.1999, p. 15.	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C 329, 17.11.1999, p. 15.	
Citation 5				
8	[Having regard to the opinion of the Committee of the Regions,]	[Having regard to the opinion of the Committee of the Regions,]	[Having regard to the opinion of the Committee of the Regions,]	
Citation 6				
9	Acting in accordance with the ordinary legislative procedure ¹ , 1. Position of the European Parliament of ... and position of the Council at first reading of ... Position of the European Parliament of ... and decision of the Council of	Acting in accordance with the ordinary legislative procedure ¹ , 1. Position of the European Parliament of ... and position of the Council at first reading of ... Position of the European Parliament of ... and decision of the Council of	Acting in accordance with the ordinary legislative procedure ¹ , 1. Position of the European Parliament of ... and position of the Council at first reading of ... Position of the European Parliament of ... and decision of the Council of	
Formula				
10	Whereas:	Whereas:	Whereas:	
Recital 1				
11	(1) Council Directive 1999/105/EC ¹ sets out rules on the production and marketing of forest	(1) Council Directive 1999/105/EC ¹ sets out rules on the production and marketing of forest	(1) Council Directive 1999/105/EC ¹ sets out rules on the production with a view to	

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	reproductive material ('FRM'). 1. Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material (OJ L 11, 15.1.2000, p. 17).	reproductive material ('FRM'). 1. Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material (OJ L 11, 15.1.2000, p. 17).	marketing and marketing of forest reproductive material ('FRM'). 1. Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material (OJ L 11, 15.1.2000, p. 17).	
Recital 2				
12	(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, <u>among other functions</u> , a premordial function as a carbon sink in the climate mitigation policy. High-quality, climate-adapted and diverse <u>diversified</u> 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 a premordial primordial function as a carbon sink in the climate mitigation policy. High-quality, climate-adapted and diverse FRM of proven identity is essential to cover these needs.	
Recital 3				
13	(3) In the light of new technical and scientific developments, 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 ¹ ('OECD Forest Seed and Plant Scheme'),	(3) In the light of new technical and scientific developments, 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 ¹ ('OECD Forest Seed and Plant Scheme'),	(3) In the light of new technical and the development of scientific developments knowledge , 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	

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	<p>the new policy priorities of the Union in relation to sustainability, climate change adaptation and biodiversity and in particular the European Green Deal², as well as the experience gained during the implementation of Directive 1999/105/EC, that Directive should be replaced by a new act. In order to ensure uniform application of the new rules throughout the Union, the act should take the form of a Regulation.</p> <p>1. Decision of the Council Establishing the OECD Scheme for the Certification of Forest Reproductive Material Moving in International Trade [OECD/LEGAL/0355]. 2. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions - The European Green Deal (COM/2019/640 final).</p>	<p>the new policy priorities of the Union in relation to sustainability, climate change adaptation and biodiversity and in particular the European Green Deal², as well as the experience gained during the implementation of Directive 1999/105/EC, that Directive should be replaced by a new act. In order to ensure uniform application of the new rules throughout the Union, the act should take the form of a Regulation.</p> <p>1. Decision of the Council Establishing the OECD Scheme for the Certification of Forest Reproductive Material Moving in International Trade [OECD/LEGAL/0355]. 2. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions - The European Green Deal (COM/2019/640 final).</p>	<p>International Trade¹ ('OECD Forest Seed and Plant Scheme'), the new policy priorities of the Union in relation to sustainability, climate change adaptation and biodiversity and in particular the European Green Deal², as well as the experience gained during the implementation of Directive 1999/105/EC, that Directive should be replaced by a new act. In order to ensure uniform application of the new rules throughout the Union, the act should take the form of a Regulation.</p> <p>1. Decision of the Council Establishing the OECD Scheme for the Certification of Forest Reproductive Material Moving in International Trade [OECD/LEGAL/0355]. 2. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions - The European Green Deal (COM/2019/640 final).</p> <p>COM proposal</p>	
Recital 4				
14	<p>(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</p>	<p>(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</p>	<p>(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</p>	

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	<p>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.</p>	<p>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.</p>	<p>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 on preserving species diversity, including by diversification in forest plots . As a result, the adaptive potential of forest would be maintained and improved FRM for the future replanting of an area with trees ('reforestation') and the creation of new forests ('afforestation'). Reforestation may be required as a part of sustainable forest management or when parts of an existing forest have been affected by extreme weather events, wildfires, outbreaks of disease and pest</p>	

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			outbreaks, or other disasters.	
Recital 5				
15	<p>(5) The European Green Deal sets out the Commission's commitment for tackling climate change and environmentally-related challenges. It aims to transform the Union's economy for a sustainable future. The Union rules on the production and marketing of FRM need to be in line with Regulation (EU) 2021/1119 of the European Parliament and of the Council establishing the framework for achieving climate neutrality¹ and with the three implementing strategies of the European Green Deal: the new EU Strategy on Adaptation to Climate Change², the new EU Forest Strategy for 2030³ and the EU Biodiversity Strategy for 2030⁴.</p> <p>1. Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).</p> <p>2. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the</p>	<p>(5) The European Green Deal sets out the Commission's commitment for tackling climate change and environmentally-related challenges. It aims to transform the Union's economy for a sustainable future. The Union rules on the production and marketing of FRM need to be in line with Regulation (EU) 2021/1119 of the European Parliament and of the Council establishing the framework for achieving climate neutrality¹ and with the three implementing strategies of the European Green Deal: the new EU Strategy on Adaptation to Climate Change², the new EU Forest Strategy for 2030³ and the EU Biodiversity Strategy for 2030⁴.</p> <p>1. Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).</p> <p>2. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the</p>	<p>(5) The European Green Deal sets out the Commission's commitment for tackling climate change and environmentally-related challenges. It aims to transform the Union's economy for a sustainable future. The Union rules on the production and marketing of FRM need to be in line with Regulation (EU) 2021/1119 of the European Parliament and of the Council establishing the framework for achieving climate neutrality¹ and with the three implementing strategies of the European Green Deal: the new EU Strategy on Adaptation to Climate Change², the new EU Forest Strategy for 2030³ and the EU Biodiversity Strategy for 2030⁴.</p> <p>1. Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).</p> <p>2. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the</p>	

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	<p>Committee of the Regions, Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change (COM(2021) 82 final).</p> <p>3. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, New EU Forest Strategy for 2030 (COM(2021) 572 final).</p> <p>4. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, EU Biodiversity Strategy for 2030 Bringing nature back into our lives (COM(2020) 380 final).</p>	<p>Committee of the Regions, Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change (COM(2021) 82 final).</p> <p>3. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, New EU Forest Strategy for 2030 (COM(2021) 572 final).</p> <p>4. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, EU Biodiversity Strategy for 2030 Bringing nature back into our lives (COM(2020) 380 final).</p>	<p>Committee of the Regions, Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change (COM(2021) 82 final).</p> <p>3. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, New EU Forest Strategy for 2030 (COM(2021) 572 final).</p> <p>4. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, EU Biodiversity Strategy for 2030 Bringing nature back into our lives (COM(2020) 380 final).</p> <p>COM proposal</p>	
Recital 6				
16	<p>(6) Regulation (EU) 2021/1119 requires relevant Union institutions and Member States to ensure continuous progress in enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change. One of the aims of the new EU Strategy on Adaptation to Climate Change is therefore to accelerate the adaptative capacity of the Union to climate change, by amending the rules on FRM, amongst others. The Union legislation should encourage the</p>	<p>(6) Regulation (EU) 2021/1119 requires relevant Union institutions and Member States to ensure continuous progress in enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change. One of the aims of the new EU Strategy on Adaptation to Climate Change is therefore to accelerate the adaptative capacity of the Union to climate change, by amending the rules on FRM, amongst others. The Union legislation should encourage the</p>	<p>(6) Regulation (EU) 2021/1119 requires relevant Union institutions and Member States to ensure continuous progress in enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change. One of the aims of the new EU Strategy on Adaptation to Climate Change is therefore to accelerate the adaptative capacity of the Union to climate change, by amending the rules on FRM, amongst others. The Union legislation should encourage the</p>	

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	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 it set out in Directive 1999/105/EC, should be abolished.	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 it set out in Directive 1999/105/EC, should be abolished.	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 it set out in Directive 1999/105/EC, should be abolished.	
Recital 7				
17	(7) The new EU Forest Strategy for 2030 has as its key objectives effective afforestation, and forest preservation and restoration in the Union, to help increase the absorption of CO ₂ , 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	(7) The new EU Forest Strategy for 2030 has as its key objectives effective afforestation, and forest preservation and restoration in the Union, to help increase the absorption of CO ₂ , 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	(7) The new EU Forest Strategy for 2030 has as its key objectives effective afforestation, and forest preservation and restoration in the Union, to help increase the absorption of CO ₂ , 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 to climate change 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-	

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	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.	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.	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.	
Recital 8				
18	(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	(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 <u>quality and</u> diversity within species and seed lots. This aims to facilitate the supply of high-quality and genetically diverse <u>diversified</u> 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	(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 lots of FRM . This aims to facilitate the supply of high-quality and genetically diverse FRM of proven identity that is adapted or adaptable to current and projected future climatic conditions. The conservation and improvement of biodiversity of forests, including the genetic diversity of the	

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	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.	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.	trees within individual tree species , are essential to sustainable forest management and conservation of forest genetic resources 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.	
Recital 9				
19	(9) There is a long-term cross-border dimension due to the fact that the already observed northward migration of vegetation zones is expected to accelerate significantly in the coming decades. Hence the requirement in this Regulation for providing information about the zones where seed can be planted or FRM is adapted to the local conditions would be an extremely useful asset to foresters. Competent authorities should therefore designate zones specifying that in these zones the seed is suited to the local conditions and can be sown ('seed transfer zones'). Likewise, they should designate areas specifying that in these areas FRM is adapted to the local conditions ('deployment areas').	(9) There is a long-term cross-border dimension due to the fact that the already observed northward migration of vegetation zones is expected to accelerate significantly in the coming decades. Hence the requirement in this Regulation for providing information about the zones where seed can be planted or FRM is adapted to the local conditions would be an extremely useful asset to foresters. Competent authorities should therefore designate zones specifying that in these zones the seed is suited to the local conditions and can be sown ('seed transfer zones'). Likewise, they should designate areas specifying that in these areas FRM is adapted to the local conditions ('deployment areas').	(9) There is a long-term cross-border dimension due to the fact that the already observed northward migration of vegetation zones is expected to accelerate significantly in the coming decades. Hence the requirement in this Regulation for providing information about the zones where seed can be planted or FRM is adapted to the local conditions would be an extremely useful asset to foresters. Competent authorities should therefore designate zones specifying that in these zones the seed is suited to the local conditions and can be sown ('seed transfer zones'). Likewise, they should designate areas specifying that in these areas FRM is adapted to the local conditions ('deployment areas').	

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Recital 10				
20	(10) Directive 1999/105/EC defines FRM in relation to its importance for forestry purposes in all or part of the Union but it remains vague about those forestry purposes. For the sake of clarity, the scope of this Regulation lists the purposes for which it is important to use high-quality FRM.	(10) Directive 1999/105/EC defines FRM in relation to its importance for forestry purposes in all or part of the Union but it remains vague about those forestry purposes. For the sake of clarity, the scope of this Regulation lists the purposes for which it is important to use high-quality FRM.	(10) Directive 1999/105/EC defines FRM in relation to its importance for forestry purposes in all or part of the Union but it remains vague about those forestry purposes. For the sake of clarity, the scope of this Regulation lists should list the purposes for which it is important to use high-quality FRM.	
Recital 11				
21	(11) FRM may be produced for use in afforestation/reforestation and other types of tree planting and for several different purposes such as wood and biomaterials production, biodiversity conservation, restoration of forest ecosystems, climate adaptation, climate mitigation, and conservation and sustainable use of forest genetic resources.	(11) FRM may be produced for use in afforestation/reforestation and other types of tree planting and for several different purposes such as wood and biomaterials production, biodiversity conservation, restoration of forest ecosystems, climate adaptation, climate mitigation, and conservation and sustainable use of forest genetic resources.	(11) FRM may be produced for intended use in afforestation/reforestation afforestation, reforestation, diversification in a forest plot and other types of tree planting and for several different for one or more of the following purposes such as wood and: multifunctional forestry, production of wood, biomaterials production, biodiversity conservation, restoration of, biomass or other forest ecosystems, climate adaptation, climate mitigation, products and conservation and sustainable use of forest genetic resources.	
Recital 12				
22	(12) Research has shown that the assessment and approval of	(12) Research has shown that the assessment and approval of	(12) Research has shown that the assessment and approval of	

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	basic material in relation to the specific purpose for which the FRM will be used are of utmost importance. In addition to that, the planting of high-quality FRM at the right place has a positive impact on the purpose for which that FRM is used. At the right place means that the FRM is genetically and phenotypically suited to the site where it is grown, including the relevant climate projections for it.	basic material in relation to the specific purpose for which the FRM will be used are of utmost importance. In addition to that, the planting of high-quality FRM at the right place has a positive impact on the purpose for which that FRM is used. At the right place means that the FRM is genetically and phenotypically suited to the site where it is grown, including the relevant climate projections for it.	basic material in relation to the specific purpose for which the FRM will be used are of utmost importance. In addition to that, the planting of high-quality FRM at the right place has a positive impact on the purpose for which that FRM is used. At the right place means that the FRM is genetically and phenotypically suited to the site where it is grown, including the relevant climate projections for it. COM proposal	
Recital 12a				
22a			(12a) Upon approval of basic material, a distinction should be made between autochthonous and indigenous seed sources or stands by the competent authorities. Professional operators should have the option to make this distinction on the professional operator's document.	
Recital 13				
23	(13) In order to ensure a sufficient supply of FRM in response to the increased demand for FRM, it is necessary to remove any actual or potential barriers to	(13) In order to ensure a sufficient supply of FRM in response to the increased demand for FRM, it is necessary to remove any actual or potential barriers to	(13) In order to ensure a sufficient supply of FRM in response to the increased demand for FRM, it is necessary to remove any actual or potential barriers to	

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	trade, which may hinder the free movement of FRM within the Union. This aim can be achieved only if the respective Union rules on FRM impose the highest possible standards.	trade, which may hinder the free movement of FRM within the Union. This aim can be achieved only if the respective Union rules on FRM impose the highest possible standards.	trade, which may hinder the free movement of FRM within the Union. This aim can be achieved only if the respective Union rules on FRM impose the highest possible standards. COM proposal	
Recital 14				
24	(14) The Union rules on the production and marketing of FRM should take into account practical needs and should apply only to certain species and artificial hybrids which are listed in Annex I to this Regulation. Those species and artificial hybrids are important for the production of FRM for afforestation, reforestation and other types of tree planting for the purpose of wood and biomaterials production, biodiversity conservation, restoration of forest ecosystems, climate adaptation, climate mitigation, and conservation and sustainable use of forest genetic resources.	(14) The Union rules on the production and marketing of FRM should take into account practical needs and should apply only to certain species and artificial hybrids which are listed in Annex I to this Regulation. Those species and artificial hybrids are important for the production of FRM for afforestation, reforestation and other types of tree planting for the purpose of wood and biomaterials production, biodiversity conservation, restoration of forest ecosystems, climate adaptation, climate mitigation, and conservation and sustainable use of forest genetic resources.	(14) The Union rules on the production and marketing of FRM should take into account practical needs and should apply only to certain species and artificial their hybrids which are are listed in Annex I to important for the objectives of this Regulation. Those species and artificial hybrids are important for should be listed accordingly. The aim of this Regulation is to ensure the production and marketing of high-quality FRM of proven identity. To help maintain and establish resilient forests, restore of FRM for afforestation, reforestation and other types of tree planting for the purpose of wood and biomaterials production, biodiversity conservation, restoration of forest ecosystems, climate adaptation, climate mitigation, and conservation and	

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			sustainable use of forest genetic resources support their ecosystem services and establish other tree plantings, users should be informed prior to the purchase of FRM about the specific climatic and ecological conditions where the respective material has grown .	
Recital 15				
25	(15) The aim of this Regulation is to ensure the production and marketing of high-quality FRM. To help create resilient forests and restore forest ecosystems, users should be informed prior to the purchase of FRM about the suitability of that FRM for the climatic and ecological conditions of the area where it will be used.	(15) The aim of this Regulation is to ensure the production and marketing of high-quality FRM. To help create resilient forests and restore forest ecosystems, users should be informed prior to the purchase of FRM about the suitability of that FRM for the climatic and ecological conditions of the area where it will be used.	(15) The aim of this Regulation is to ensure the production and marketing of high-quality FRM of proven identity . To help create maintain and establish resilient forests and, restore forest ecosystems, support their ecosystem services and establish other tree plantings , users should be informed prior to the purchase of FRM about the suitability of that FRM for the specific climatic and ecological conditions of the area where it will be used the respective material has grown.	
Recital 16				
26	(16) To ensure that certified FRM will be adapted to the climatic and ecological conditions of the area where it is planted, the competent authorities should assess the sustainability characteristics of	(16) To ensure that certified FRM will be adapted to the climatic and ecological conditions of the area where it is planted, the competent authorities should assess the sustainability characteristics of	(16) To ensure that certified FRM will be adapted to the specific climatic and ecological conditions of the area where it is intended to be sown or planted, the competent authorities should	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	basic material during the procedure for approving that basic material. Those sustainability characteristics should concern the adaptation of that basic material to the climatic and ecological conditions and the freedom of trees from pests and their symptoms.	basic material during the procedure for approving that basic material. Those sustainability characteristics should concern the adaptation of that basic material to the climatic and ecological conditions and the freedom of trees from pests and their symptoms.	assess the sustainability characteristics of basic material during the procedure for approving that basic material its approval . Those sustainability characteristics should concern the adaptation of that basic material to the specific climatic and ecological conditions, including the biotic and abiotic factors prevailing in the region of provenance and the freedom of trees from resistance or tolerance to pests and their symptoms the adverse climatic and site conditions in which they are growing .	
Recital 17				
27	(17) FRM should only be harvested from basic material that has been assessed and approved by the competent authorities in order to ensure the highest possible quality of that FRM. Approved basic material should be registered in a national register with a unique register reference and with reference to a unit of approval.	(17) FRM should only be harvested from basic material that has been assessed and approved by the competent authorities in order to ensure the highest possible quality of that FRM. Approved basic material should be registered in a national register with a unique register reference and with reference to a unit of approval.	(17) FRM should only be harvested from basic material that has been assessed and approved by the competent authorities in order to ensure the highest possible quality of that FRM. Approved basic material should be registered in a national register with a unique register reference and with reference to a unit of approval. In order to allow competent authorities to organise those controls, professional operators should notify their intention prior to harvesting.	
Recital 17a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
27a		<i><u>(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.</u></i>		
Recital 17a				
27b			(17a) However in order to ensure a more flexible approach with regard to the FRM of source-identified category, competent authorities should have the possibility, upon the approval of the Commission, to authorise professional operators to approve, for certain species, basic material intended for the production of the FRM of that category, in the case of extreme climatic conditions.	
Recital 18				
28	(18) In order to adapt to the scientific and technical developments of international standards, the use of bio-molecular techniques should be included as a complementary method in the	(18) In order to adapt to the scientific and technical developments of international standards, the use of bio-molecular techniques should be included as a complementary method in the	(18) In order to adapt to the scientific and/or technical developments of international standards, the use of bio-molecular biochemical and molecular techniques (BMT) ,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	procedure for the approval of basic material. Those bio-molecular techniques should be allowed to assess the origin of basic material or to screen the basic material for the presence of disease resistance traits through molecular markers.	procedure for the approval of basic material. Those bio-molecular techniques should be allowed to assess the origin of basic material or to screen the basic material for the presence of disease resistance traits through molecular markers.	should be possible to be included as a complementary method in the procedure for the approval of basic material. Those bio-molecular techniques should be allowed to assess the origin of basic material or to screen the basic material for the presence of disease resistance traits through molecular markers.	
Recital 36				
28a	<p>(36) To ensure an effective overview and transparency about the FRM that is produced and marketed throughout the Union, each Member State should establish, publish and keep updated, in electronic format, a national register of the basic material of the various species and artificial hybrids approved on its territory, and a national list which should be presented as a summary of the national register.</p> <p>Moved reference text</p>		<p>(36) To ensure an effective overview and transparency about the FRM that is produced and marketed throughout the Union, each Member State should establish, publish and keep updated, in electronic format, a national register of the basic material of the various species and artificialtheir hybrids approved on its territory, and a national list which should be presented as a summary of the national register.</p> <p>Moved from row 46 [46 - 28a]</p>	
Recital 37				
28b	<p>(37) For the same reason, the Commission should publish in electronic format a Union list of approved basic material for the production of FRM, on the basis of the national lists provided by each</p>		<p>(37) For the same reason, the Commission should publish in electronic format a Union list of approved basic material for the production of FRM, on the basis of the national lists provided by each</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Member State. That Union list should contain information on basic material that contains or consists of a genetically modified organism or that has been produced by certain new genomic techniques.</p> <p>Moved reference text</p>		<p>Member State. That Union list should also contain information on basic material that contains or consists of a genetically modified organism or that has been produced by certain new genomic techniques.</p> <p>Moved from row 47 [47 - 28b]</p>	
Recital 19				
29	<p>(19) A master certificate should be issued by the competent authorities of the respective Member States for all FRM that is derived (i.e. harvested) from approved basic material. Such master certificate ensures the identification of the FRM, contains information about its origin and provides the most appropriate details for its users and the competent authorities in charge of its official control. It should be allowed to issue the master certificate in an electronic form.</p>	<p>(19) A master certificate should be issued by the competent authorities of the respective Member States for all FRM that is derived (i.e. harvested) from approved basic material. Such master certificate ensures the identification of the FRM, contains information about its origin and provides the most appropriate details for its users and the competent authorities in charge of its official control. It should be allowed to issue the master certificate in an electronic form.</p>	<p>(19) A master certificate should be issued by the competent authorities of the respective Member States for all FRM that is derived (i.e. harvested) from approved basic material. Such master certificate ensures the identification of the FRM, contains information about its origin and provides the most appropriate details for its users and the competent authorities in charge of its official control. It should be allowed to issue the master certificate in an electronic form.</p> <p>Text unchanged. Moved to row 38a</p>	
Recital 19a				
29a		<p><u>(19a) Each Member State should establish and update a national list of issued master certificates and make that list</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>available to the Commission and national competent authorities of all other Member States.</u>		
Recital 20				
30	<p>(20) Only FRM that has been harvested from approved basic material should be allowed to be subsequently certified and placed on the market. FRM should be certified as ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ by the competent authorities and be marketed with a reference to those categories. Those types of categories show which of the characteristics of the basic material have been assessed and they indicate the quality of the FRM. For lower quality FRM (‘source-identified’ and ‘selected’ categories), basic material will be checked for basic characteristics. For higher quality FRM (‘qualified’ and ‘tested’ categories), parent trees will be selected for outstanding characteristics and crossing schemes designed. In the case of FRM of the ‘qualified’ category, the superiority of the FRM estimated on the basis of the characteristics of the parent trees. In the case of the ‘tested’ category,</p>	<p>(20) Only FRM that has been harvested from approved basic material should be allowed to be subsequently certified and placed on the market. FRM should be certified as ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ by the competent authorities and be marketed with a reference to those categories. Those types of categories show which of the characteristics of the basic material have been assessed and they indicate the quality of the FRM. For lower quality FRM (‘source-identified’ and ‘selected’ categories), basic material will be checked for basic characteristics. For higher quality FRM (‘qualified’ and ‘tested’ categories), parent trees will be selected for outstanding characteristics and crossing schemes designed. In the case of FRM of the ‘qualified’ category, the superiority of the FRM estimated on the basis of the characteristics of the parent trees. In the case of the ‘tested’ category,</p>	<p>(20) Only FRM that has been harvested from approved basic material should be allowed to be subsequently certified and placed on the market. FRM should be certified as ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ by the competent authorities and be marketed with a reference to those categories. Those types of categories show which of the characteristics of the basic material have been assessed and they indicate the quality of the FRM. For lower quality FRM (‘source-identified’ and ‘selected’ categories), basic material will be checked for basic characteristics. For higher quality FRM (‘qualified’ and ‘tested’ categories), parent trees will be selected for outstanding characteristics and crossing schemes designed. In the case of FRM of the ‘qualified’ category, the superiority of the FRM estimated on the basis of the characteristics of the parent trees. In the case of the ‘tested’ category,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the superiority of that FRM must be demonstrated in comparison with either the basic material from which that FRM has been harvested or with a reference population. The ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ categories of FRM should be subject to uniform production and marketing requirements, to ensure transparency, equal terms of competition and the integrity of the internal market.	the superiority of that FRM must be demonstrated in comparison with either the basic material from which that FRM has been harvested or with a reference population. The ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ categories of FRM should be subject to uniform production and marketing requirements, to ensure transparency, equal terms of competition and the integrity of the internal market.	the superiority of that FRM must be demonstrated in comparison with either the basic material from which that FRM has been harvested or with a reference population. The ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ categories of FRM should be subject to uniform production and marketing requirements, to ensure transparency, equal terms of competition and the integrity of the internal market and to create equal conditions for professional operators across the Union.	
Recital 21				
31	(21) The certification rules should be clarified in the case of FRM that has been produced through innovative production processes and in particular FRM production techniques for the production of a specific type of FRM, namely clones. As the place of production of those clones may be different from the location of the original tree (i.e. basic material) from which the clone(s) has been derived, the rules should be amended to guarantee traceability.	(21) The certification rules should be clarified in the case of FRM that has been produced through innovative production processes and in particular FRM production techniques for the production of a specific type of FRM, namely clones. As the place of production of those clones may be different from the location of the original tree (i.e. basic material) from which the clone(s) has been derived, the rules should be amended to guarantee traceability.	(21) The certification rules should be clarified in the case of FRM that has been produced through innovative production processes and in particular FRM production techniques for the production of a specific type of FRM, namely clones. As the place of production of those clones may be different from the location of the original tree (i.e. basic material) from which the clone(s) has been derived, the rules should be amended to guarantee traceability.	
Recital 22				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
32	<p>(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.</p>	<p>(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, at a <u>a maximum number of</u> 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 <u>Professional operators</u> should therefore be allowed to derogate from the applicable rules as regards the approval of basic material and notify <u>to the competent authority</u> this basic material intended for the purpose of conserving forest genetic resources to the competent authority.</p>	<p>(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.</p>	
Recital 23				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
33	(23) The source-identified category is the minimum standard required for the marketing of FRM, because little or no phenotypic selection of the basic material intended for the production of FRM of the source-identified category has taken place. To ensure traceability, the professional operator should record the location of the basic material (i.e. provenance) from which FRM is collected. The origin of that basic material should be stated if known. This is in line with the OECD Forest Seed and Plant Scheme' and the experience gained with Directive 1999/105/EC.	(23) The source-identified category is the minimum standard required for the marketing of FRM, because little or no phenotypic selection of the basic material intended for the production of FRM of the source-identified category has taken place. To ensure traceability, the professional operator should record the location of the basic material (i.e. provenance) from which FRM is collected. The origin of that basic material should be stated if known. This is in line with the OECD Forest Seed and Plant Scheme' and the experience gained with Directive 1999/105/EC.	(23) The source-identified category is the minimum standard required for the marketing of FRM, because there is little or no phenotypic selection of the basic material intended for the production of FRM of the source-identified this category has taken place . To ensure traceability, the professional operator should record the location of the basic material (i.e. provenance) from which FRM is collected. The origin of that basic material should be stated if known. This is in line with the OECD Forest Seed and Plant Scheme' and the experience gained with Directive 1999/105/EC.	
Recital 24				
34	(24) Pursuant to the OECD Forest Seed and Plant Scheme and following the application of Directive 1999/105/EC, the competent authority should assess basic material intended for the production of FRM of the selected category based on the observation of the characteristics of that basic material, taking account of the specific purpose for which the FRM harvested from that basic material is to be used. The overall quality of that category should be	(24) Pursuant to the OECD Forest Seed and Plant Scheme and following the application of Directive 1999/105/EC, the competent authority should assess basic material intended for the production of FRM of the selected category based on the observation of the characteristics of that basic material, taking account of the specific purpose for which the FRM harvested from that basic material is to be used. The overall quality of that category should be	(24) Pursuant to the OECD Forest Seed and Plant Scheme and following On the basis of experience gained from the application of Directive 1999/105/EC, and taking into account the OECD Forest Seed and Plant Scheme , the competent authority should assess basic material intended for the production of FRM of the selected category based on the observation of the characteristics of that basic material, taking account of the	

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	ensured. As the population should show a high degree of uniformity, trees that have inferior characteristics (e.g. smaller size) in comparison to the average tree size in the overall population should be removed.	ensured. As the population should show a high degree of uniformity, trees that have inferior characteristics (e.g. smaller size) in comparison to the average tree size in the overall population should be removed.	specific purpose for which the FRM harvested from that basic material is to be used. The overall quality of that category should be ensured. As The reproductive population should show a high have a minimum degree of uniformity; trees that have inferior characteristics (e.g. smaller size) in comparison to the average tree size in the overall population should be removed.	
Recital 25				
35	(25) In order to produce FRM of the qualified category, the professional operator should select the components of the basic material that will be used in the crossing design at individual level due to their outstanding characteristics as regards, for example, adaptation to the local climatic and ecological conditions. The competent authority should approve the composition and proposed crossing design of those components, the field layout, the isolation conditions and location of that basic material. This is important in order to align with the applicable international standards pursuant to the OECD Forest Seed and Plant Scheme Scheme'and to	(25) In order to produce FRM of the qualified category, the professional operator should select the components of the basic material that will be used in the crossing design at individual level due to their outstanding characteristics as regards, for example, adaptation to the local climatic and ecological conditions. The competent authority should approve the composition and proposed crossing design of those components, the field layout, the isolation conditions and location of that basic material. This is important in order to align with the applicable international standards pursuant to the OECD Forest Seed and Plant Scheme Scheme'and to	(25) In order to produce FRM of the qualified category, the professional operator should select the components of the basic material that will be used in the crossing design at individual level due to their outstanding characteristics as regards, for example, wood production or adaptation to the local climatic and ecological conditions. The competent authority should approve the composition and proposed crossing design of those components, the field layout, the isolation conditions and location of that basic material. This is important in order to align with the applicable international standards pursuant to the OECD Forest Seed	

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	take into account the experience gained from Directive 1999/105/EC.	take into account the experience gained from Directive 1999/105/EC.	and Plant Scheme Scheme'and to take into account the experience gained from Directive 1999/105/EC.	
Recital 26				
36	<p>(26) Basic material that is intended for the production of FRM of the tested category should be subject to the most stringent possible requirements. Determining the superiority of FRM should be made by comparing it with one or preferably several approved or pre-chosen standards. The professional operator selects those standards on the basis of the purpose for which the FRM of the tested category will be used. In this regard, if the purpose of that FRM will be climate adaptation, then the FRM will be compared with standards having a good performance as regards adaptation to the local climatic and ecological conditions (e.g. practical freedom from pests and their symptoms). Following the selection of the components of basic material, the professional operator should demonstrate the superiority of the FRM by comparative testing or estimate its superiority by evaluating the</p>	<p>(26) Basic material that is intended for the production of FRM of the tested category should be subject to the most stringent possible requirements. Determining the superiority of FRM should be made by comparing it with one or preferably several approved or pre-chosen standards. The professional operator selects those standards on the basis of the purpose for which the FRM of the tested category will be used. In this regard, if the purpose of that FRM will be climate adaptation, then the FRM will be compared with standards having a good performance as regards adaptation to the local climatic and ecological conditions (e.g. practical freedom from pests and their symptoms). Following the selection of the components of basic material, the professional operator should demonstrate the superiority of the FRM by comparative testing or estimate its superiority by evaluating the</p>	<p>(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 should be determined on the basis of the purpose for which the FRM of the tested category will be used. In this regard, if the purpose of that FRM will be climate adaptation, then the FRM will be compared with standards having a good performance as regards adaptation to the local climatic and ecological conditions (e.g. practical freedom from pests and their symptoms). Following the selection of the components of the basic material, the professional operator should demonstrate the superiority of the FRM should be demonstrated by comparative testing or estimate its</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	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.	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.	superiority estimated 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.	
Recital 27				
37	(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	(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	(27) The assessment of basic material intended for the production of FRM of the tested category takes on average at minimum 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	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	maximum period of 10 years, in all or part of their territory. That approval should be granted only if the provisional results of the genetic evaluation or comparative tests indicate that that basic material will satisfy the requirements of this Regulation when the tests will be completed. This early assessment should be re-examined at a maximum interval of ten years.	maximum period of 10 years, in all or part of their territory. That approval should be granted only if the provisional results of the genetic evaluation or comparative tests indicate that that basic material will satisfy the requirements of this Regulation when the tests will be completed. This early assessment should be re-examined at a maximum interval of ten years.	material, for a maximum period of 10 years, in all or part of their territory. That approval should be granted only if the provisional results of the genetic evaluation or comparative tests indicate that that basic material will satisfy the requirements of this Regulation when the tests will be completed. This early assessment should be re-examined at a maximum interval of ten 10 years.	
Recital 28				
38	(28) Compliance of FRM with the requirements for the categories ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ should be confirmed by inspections carried out by the competent authorities as appropriate for each category (‘official certification’) and should be attested by an official label.	(28) Compliance of FRM with the requirements for the categories ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ should be confirmed by inspections carried out by the competent authorities as appropriate for each category (‘official certification’) and should be attested by an official label.	(28) Compliance of marketed FRM with the requirements for the categories ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ should be confirmed by inspections carried out by the competent authorities as appropriate for each category (‘official certification’) and should be attested by an official label. Before marketing or direct using, harvested FRM should bear a provisional label to ensure traceability until the official label is issued.	
Recital 19				
38a			(19) A master certificate should be issued by the competent authorities of the respective Member States for all	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>FRM that is derived (i.e. harvested) from approved basic material. Such master certificate ensures the identification of the FRM, contains information about its origin and provides the most appropriate details for its users and the competent authorities in charge of its official control. It should be possible to issue the master certificate in an electronic form.</p> <p>Moved from row 29</p>	
Recital 28a				
38b			<p>(28a) In addition to the official label, professional operators should also issue an professional operator's document. It should contain all information from the official label, as well as supplementary information. This is necessary in order to inform the user as comprehensively as possible about the FRM, and to retain that information in the most effective manner.</p>	
Recital 29				
39	<p>(29) Genetically modified FRM may only be placed on the market if it is safe for human health and the environment and has been</p>	<p>(29) Genetically modified FRM may only be placed on the market if it is safe for human health and the environment and has been</p>	<p>(29) Genetically modified FRM may should only be placed on the market if it is safe for human health and the environment and has</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>authorised for cultivation pursuant to Directive 2001/18/EC of the European Parliament and of the Council¹ or Regulation (EC) 1829/2003² and if that FRM belongs to the tested category. FRM obtained by certain new genomic techniques may only be placed on the market if it complies with the requirements of Regulation (EU) [Publications Office, please insert reference to Regulation (EU) of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed³ and if that FRM belongs to the tested category.</p> <p>1. Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1). 2. Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1). 3. Regulation (EU) .../... of the European Parliament and of the Council (OJ ..., p.).</p>	<p>authorised for cultivation pursuant to Directive 2001/18/EC of the European Parliament and of the Council¹ or Regulation (EC) 1829/2003² and if that FRM belongs to the tested category. FRM obtained by certain new genomic techniques may only be placed on the market if it complies with the requirements of Regulation (EU) [Publications Office, please insert reference to Regulation (EU) of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed³ and if that FRM belongs to the tested category.</p> <p>1. Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1). 2. Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1). 3. Regulation (EU) .../... of the European Parliament and of the Council (OJ ..., p.).</p>	<p>been authorised for cultivation pursuant to Directive 2001/18/EC of the European Parliament and of the Council¹ or Regulation (EC) 1829/2003² and if that FRM belongs to the tested category. FRM obtained by certain new genomic techniques may only be placed on the market if it complies with the requirements of Regulation (EU) [Publications Office, please insert reference to Regulation (EU) of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed³ and if that FRM belongs to the tested category.</p> <p>1. [1] Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1). 2. [2] Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1). 3. [3] Regulation (EU) .../... of the European Parliament and of the Council (OJ ..., p.).</p>	
Recital 30				
40	(30) The official label should	(30) The official label should	(30) The official label should	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	contain information on basic material that contains or consists of a genetically modified organism or that has been produced by certain new genomic techniques.	contain information on basic material that contains or consists of a genetically modified organism or that has been produced by certain new genomic techniques.	contain information on basic material that contains or consists of a genetically modified organism or that has been produced by certain new genomic techniques.	
Recital 31				
41	<p>(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.</p>	<p>(31) Professional operators should be authorised by the competent authority to <u>issue and</u> 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, <u>if all requirements defined by the competent authority are fulfilled, and after an audit of the</u> competent authority has certified the FRM concerned <u>determines they have the necessary competence, infrastructure and resources.</u> 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. <u>This will give more flexibility to the professional operators in relation to the subsequent marketing of that</u></p>	<p>(31) It should be possible for the competent authorities to authorise 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. This will give more flexibility flexibility to the professional operators in relation to the subsequent marketing of that FRM. However, professional operators can only should only be allowed to start issuing and printing the label once competent authority has certified the FRM concerned has been found to comply with the respective requirements. 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.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>FRM</u> . Rules should be set out for the withdrawal or modification of that authorisation.		
Recital 32				
42	(32) Member States should be allowed to impose additional or more stringent requirements for the approval of basic material produced in their own territory, subject to authorisation granted by the Commission. This would enable the implementation of national or regional approaches concerning the production and marketing of FRM and aimed at improvement of the quality of the FRM concerned, protection of the environment, or contribution to the protection of biodiversity and the restoration of forest ecosystems.	(32) Member States should be allowed to impose additional or more stringent requirements for the approval of basic material produced in their own territory, subject to authorisation granted by the Commission. This would enable the implementation of national or regional approaches concerning the production and marketing of FRM and aimed at improvement of the quality of the FRM concerned, protection of the environment, or contribution to the protection of biodiversity and the restoration of forest ecosystems.	(32) Member States should be allowed to impose additional or more stringent requirements for the approval of basic material produced in their own territory, subject to authorisation granted by the Commission. This would enable the implementation of national or regional approaches concerning the production and marketing of FRM and aimed at improvement of the quality of the FRM concerned, protection of the environment, or contribution to the protection of biodiversity and the restoration of forest ecosystems. Member States should also be allowed, subject to authorisation granted by the Commission, to restrict in their territory the approval of basic material intended for the production of FRM of the category "source-identified", as well as to prohibit the marketing to the end user of specified reproductive material, in case the respective FRM is not suitable for forestry ecological conditions and purposes of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			respective Member State.	
Recital 32a				
42a			(32a) Insofar as certain species and their hybrids are not subject to the measures contained in this Regulation, Member States may take such measures, in respect of their own territory, or apply more or less stringent measures.	
Recital 33				
43	(33) In order to ensure transparency and more effective controls on the production and marketing of FRM, professional operators should be registered in the registers established by Member States pursuant to Regulation (EU) 2016/2031 of the European Parliament and of the Council ¹ . Such registration reduces the administrative burden for those professional operators. It is necessary for the efficacy of the official register of professional and to avoid double registration. The professional operators under the scope of this Regulation are to a big extent covered by the scope of the official register of professional operators under Regulation (EU) 2016/2031.	(33) In order to ensure transparency and more effective controls on the production and marketing of FRM, professional operators should be registered in the registers established by Member States pursuant to Regulation (EU) 2016/2031 of the European Parliament and of the Council ¹ . Such registration reduces the administrative burden for those professional operators. It is necessary for the efficacy of the official register of professional and to avoid double registration. The professional operators under the scope of this Regulation are to a big extent covered by the scope of the official register of professional operators under Regulation (EU) 2016/2031.	(33) In order to ensure transparency and more effective controls on the production and marketing of FRM, professional operators should be registered in the registers established by Member States pursuant to Regulation (EU) 2016/2031 of the European Parliament and of the Council ¹ . Such registration reduces the administrative burden for those professional operators. It. This is necessary for the efficacy of the official register of professional operators and to avoid double registration. The professional operators under the scope of this Regulation are to a big extent covered by the scope of the official register of professional operators under Regulation (EU) 2016/2031.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4).	1. Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4).	1. [1] Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4).	
Recital 34				
44	(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 <u>competent authority and</u> potential buyers of their FRM all the necessary information concerning its <u>identity and</u> suitability for the respective climatic and ecological conditions <u>of the FRM</u> , in order to allow them to select the most appropriate FRM for their <u>a specific</u> region.	(34) Prior to the purchase of FRM, professional operators should make available provide access to the potential buyers of their FRM all the necessary to the available 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 the intended use of that FRM and the location concerned.	
Recital 35				
45	(35) In the case of basic material intended for the production of FRM of the ‘source-identified’ and ‘selected’ categories, the Member States should, for the relevant species, demarcate the regions of provenance, in order to identify an area or groups of areas with	(35) In the case of basic material intended for the production of FRM of the ‘source-identified’ and ‘selected’ categories, the Member States should, for the relevant species, demarcate the regions of provenance, in order to identify an area or groups of areas with	(35) In the case of basic material intended for the production of FRM of the ‘source-identified’ and ‘selected’ categories, the Member States should, for the relevant species, demarcate the regions of provenance, in order to identify an area or groups of areas with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	sufficiently uniform ecological conditions and containing basic material with similar phenotypic or genetic characteristics. This is necessary because the FRM produced from that basic material is to be marketed with reference to those regions of provenance.	sufficiently uniform ecological conditions and containing basic material with similar phenotypic or genetic characteristics. This is necessary because the FRM produced from that basic material is to be marketed with reference to those regions of provenance.	sufficiently uniform ecological conditions and containing basic material with similar phenotypic or genetic characteristics. This is necessary because the FRM produced from that basic material is to be marketed with reference to those regions of provenance. COM proposal	
Recital 36				
46	(36) To ensure an effective overview and transparency about the FRM that is produced and marketed throughout the Union, each Member State should establish, publish and keep updated, in electronic format, a national register of the basic material of the various species and artificial hybrids approved on its territory, and a national list which should be presented as a summary of the national register.	(36) To ensure an effective overview and transparency about the FRM that is produced and marketed throughout the Union, each Member State should establish, publish and keep updated, in electronic format, a national register of the basic material of the various species and artificial hybrids approved on its territory, and a national list which should be presented as a summary of the national register.	(36) To ensure an effective overview and transparency about the FRM that is produced and marketed throughout the Union, each Member State should establish, publish and keep updated, in electronic format, a national register of the basic material of the various species and artificial their hybrids approved on its territory, and a national list which should be presented as a summary of the national register.	
Recital 37				
47	(37) For the same reason, the Commission should publish in electronic format a Union list of approved basic material for the production of FRM, on the basis of the national lists provided by each Member State. That Union list	(37) For the same reason, the Commission should publish in electronic format a Union list of approved basic material for the production of FRM, on the basis of the national lists provided by each Member State. That Union list	(37) For the same reason, the Commission should publish in electronic format a Union list of approved basic material for the production of FRM, on the basis of the national lists provided by each Member State. That Union list	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	should contain information on basic material that contains or consists of a genetically modified organism or that has been produced by certain new genomic techniques.	should contain information on basic material that contains or consists of a genetically modified organism or that has been produced by certain new genomic techniques.	should also contain information on basic material that contains or consists of a genetically modified organism or that has been produced by certain new genomic techniques.	
Recital 38				
48	<p>(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 Mechanism¹.</p> <p>¹. 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).</p>	<p>(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 <u>prompt</u> proactive and effective action against such risks, if they emerge. Member States should be allowed to adapt <u>define</u> the content of that plan to <u>in accordance with</u> the specific climatic and ecological conditions in their territories <u>and should be allowed to adapt such content in the light of new scientific knowledge</u>. This requirement also reflects the general preparedness actions that Member States should take on a voluntary basis under the Union Civil Protection Mechanism¹. <u>The Commission should, at the request</u></p>	<p>(38) Each Member State should have the possibility to draw up and keep up to date a contingency plan to ensure for one or more of the relevant tree species by ensuring a sufficient supply access to supplies 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 also have the possibility to adapt the content of that plan to the specific climatic and ecological conditions in their territories. This requirement also reflects Those possibilities should also reflect the general preparedness actions that Member States should take on a voluntary basis under the Union Civil Protection Mechanism¹.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>of the Member State concerned, support through technical assistance the drawing-up of the plan and, where applicable, its updating.</u></p> <p>1. 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).</p>	<p>1. 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).</p>	
Recital 39				
49	<p>(39) FRM should, during all stages of production, be kept separate by reference to individual units of approval. Those units of approval should be produced and marketed in lots, that must be sufficiently homogeneous and identified as distinct from other lots of FRM. A distinction should be made between seed lots and plant lots, to identify the type of FRM and ensure traceability to the approved basic material from which FRM has been harvested. This guarantees the maintenance of the identity and quality of that FRM.</p>	<p>(39) FRM should, during all stages of production, be kept separate by reference to individual units of approval. Those units of approval should be produced and marketed in lots, that must be sufficiently homogeneous and identified as distinct from other lots of FRM. A distinction should be made between seed lots and plant lots, to identify the type of FRM and ensure traceability to the approved basic material from which FRM has been harvested. This guarantees the maintenance of the identity and quality of that FRM.</p>	<p>(39) In order to ensure traceability FRM should, during all stages of production and marketing, be kept separateseparated in lots, by reference to individual units of approval. Those units of approval should be produced and marketed in lots, that must be sufficiently homogeneous and identified as distinct from other lots of FRM. A distinction should be made between seed lots and plant lots, to identify the type of FRM and ensure For reasons of transparency and traceability to the approved basic material from which FRM has been harvested. This guarantees the maintenance, each lot of FRM should be identified by the lot code and master certificate code, upon</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			issuance of the identity and quality of that FRM master certificate.	
Recital 40				
50	(40) Seeds should be marketed only if they conform to certain quality standards. They should be labelled and marketed only in sealed packages, in order to enable their appropriate identification, quality and traceability, and to avoid fraud.	(40) Seeds should be marketed only if they conform to certain quality standards. They should be labelled and marketed only in sealed packages, in order to enable their appropriate identification, quality and traceability, and to avoid fraud.	(40) Seeds should be marketed only if they conform to comply with certain quality standards. With the exception of large quantities, they should be labelled and marketed only in sealed closed packages which are sealed, in order to enable their appropriate identification, quality and traceability, and to avoid fraud.	
Recital 41				
51	(41) In order to meet the aim of the EU Digital Strategy ¹ to make the transformation to digital technologies work for people and businesses, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union ('TFEU') should be delegated to the Commission in respect of rules on rules on digital recording of all actions taken, for the purpose of issuing a master certificate and an official label and the establishment of a centralised platform facilitating the processing of, access to, and use of those records.	(41) In order to meet the aim of the EU Digital Strategy ¹ to make the transformation to digital technologies work for people and businesses, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union ('TFEU') should be delegated to the Commission in respect of rules on rules on digital recording of all actions taken, for the purpose of issuing a master certificate and an official label and the establishment of a centralised platform facilitating the processing of, access to, and use of those records.	(41) In order to meet the aim of the EU Digital Strategy¹ to make the transformation to digital technologies work for people and businesses, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union ('TFEU') should be delegated to the Commission in respect of rules on rules on digital recording of all actions taken, for the purpose of issuing a master certificate and an official label and the establishment of a centralised platform facilitating the processing of, access to, and use of those records.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, 2030 Digital Compass: the European way for the Digital Decade (COM(2021)118 final).	1. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, 2030 Digital Compass: the European way for the Digital Decade (COM(2021)118 final).	1. Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, 2030 Digital Compass: the European way for the Digital Decade (COM(2021)118 final).	
Recital 42				
52	(42) During periods in which there are temporary difficulties in harvesting sufficient supplies of FRM from certain species, basic material satisfying less stringent requirements should, subject to certain conditions, be temporarily approved. Those less stringent requirements should concern the approval of basic material intended for the production of different categories of FRM. This is necessary to ensure a flexible approach under adverse circumstances and to avoid disruptions of the internal market of FRM ¹ .	(42) During periods in which there are temporary difficulties in harvesting sufficient supplies of FRM from certain species, basic material satisfying less stringent requirements should, subject to certain conditions, be temporarily approved. Those less stringent requirements should concern the approval of basic material intended for the production of different categories of FRM. This is necessary to ensure a flexible approach under adverse circumstances and to avoid disruptions of the internal market of FRM ¹ .	(42) During periods in which there are temporary difficulties in harvesting sufficient supplies of FRM from certain species, basic material or FRM satisfying less stringent quality requirements should, subject to certain conditions, be temporarily approved. Those less stringent requirements should concern the approval of basic material intended for the production of different categories of FRM or marketing of FRM fulfilling less stringent quality requirements . This is necessary to ensure a flexible approach, in the affected areas , under adverse circumstances and to avoid disruptions of the internal market of FRM ² .	
Recital 43				
53	(43) FRM should only be imported from third countries, if it is established that it fulfils requirements equivalent to those	(43) FRM should only be imported from third countries, if it is established that it fulfils requirements equivalent to those	(43) FRM should only be imported from third countries, if it is established that it fulfils requirements equivalent to those	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	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.	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. <u><i>That approach will ensure that FRM imports not only meet Union standards but also that they contribute to plant genetic diversity and sustainability.</i></u>	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. COM proposal	
Recital 44				
54	(44) Where FRM is imported into the Union from a third country, the professional operator concerned should inform the respective competent authority in advance of the import of FRM, through the information management system for official controls (IMSOC) set up pursuant to Regulation (EU) 2017/625 of the European Parliament and of the Council ¹ . Moreover, imported FRM should be accompanied by a master certificate or an official certificate issued by the third country of origin, and records containing details of that FRM provided by the professional operator in that third country. An official label should be attached to that FRM, as this is necessary to	(44) Where FRM is imported into the Union from a third country, the professional operator concerned should inform the respective competent authority in advance of the import of FRM, through the information management system for official controls (IMSOC) set up pursuant to Regulation (EU) 2017/625 of the European Parliament and of the Council ¹ . Moreover, imported FRM should be accompanied by a master certificate or an official certificate issued by the third country of origin, and records containing details of that FRM provided by the professional operator in that third country. An official label should be attached to that FRM, as this is necessary to	(44) Where FRM is imported into the Union from a third country, the professional operator concerned should inform the respective competent authority in advance of the import of FRM, through the information management system for official controls (IMSOC) set up pursuant to Regulation (EU) 2017/625 of the European Parliament and of the Council ¹ . Moreover, imported FRM should be accompanied by a master an OECD certificate or an equivalent official certificate issued by the third country of origin, and records containing details of that FRM provided by the professional operator in that third country. An OECD label or equivalent official label should be	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>ensure informed choices for the users of that FRM and facilitate the competent authorities with the conduct of the respective official controls.</p> <p>1. Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).</p>	<p>ensure informed choices for the users of that FRM and facilitate the competent authorities with the conduct of the respective official controls.</p> <p>1. Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).</p>	<p>attached to that FRM, as this is necessary to ensure informed choices for the users of that FRM and facilitate the competent authorities with the conduct of the respective official controls.</p> <p>1. [1] Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).</p>	
Recital 45				
55	(45) In order to monitor the impact of this Regulation and to allow the Commission to assess the measures introduced, Member	(45) In order to monitor the impact of this Regulation and to allow the Commission to assess the measures introduced, Member	(45) In order to monitor the impact of this Regulation and to allow the Commission to assess the measures introduced, Member	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	States should report every 5 years about the annual quantities of certified FRM, the adopted national contingency plans, the information available to users on where to best plant FRM through websites and/or planters' guides, the quantities of imported FRM and the penalties imposed.	States should report every 5 years about the annual quantities of certified FRM, the adopted national contingency plans, the information available to users on where to best plant FRM through websites and/or planters' guides, the quantities of imported FRM and the penalties imposed.	States should report every 5 years about the annual quantities of certified FRM, the adopted national contingency plans by categories per year , the information available to users on where to best plant FRM through websites and/or planters' guides, the quantities of FRM per genera and species imported FRM and the from third countries under Union equivalence , penalties imposed and the number of registered professional operators .	
Recital 46				
56	(46) In order to adapt to the movement of vegetation zones and tree species' ranges as a result of climate change, and any other developments of technical or scientific knowledge, including about climate change, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending the list of the tree species, and artificial hybrids thereof, to which this Regulation applies.	(46) In order to adapt to the movement of vegetation zones and tree species' ranges as a result of climate change, and any other developments of technical or scientific knowledge, including about climate change, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending the list of the tree species, and artificial hybrids thereof, to which this Regulation applies.	(46) In order to adapt the provisions of this Regulation to the movement of vegetation zones and ecological changes, shift of tree species ² and their ranges as a result of climate change, and any other developments of technical or as well as to any development of scientific or technical knowledge, including about climate change, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending the list of the adding tree species, and artificial hybrids thereof to, or removing them	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			from, the list of species subject to which this Regulation, if they fulfil certain criteria applies.	
Recital 47				
57	<p>(47) In order to adapt to the development of scientific and technical knowledge and of the OECD Forest Seed and Plant Scheme and other applicable international standards, and to take account of Regulation (EU) 2018/848 of the European Parliament and of the Council¹, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending (i) the requirements concerning basic material intended for the production of FRM to be certified as ‘source-identified’, ‘selected’, ‘qualified’, and ‘tested’ and (ii) the categories under which FRM from the different types of basic material may be marketed.</p> <p>¹. Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).</p>	<p>(47) In order to adapt to the development of scientific and technical knowledge and of the OECD Forest Seed and Plant Scheme and other applicable international standards, and to take account of Regulation (EU) 2018/848 of the European Parliament and of the Council¹, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending (i) the requirements concerning basic material intended for the production of FRM to be certified as ‘source-identified’, ‘selected’, ‘qualified’, and ‘tested’ and (ii) the categories under which FRM from the different types of basic material may be marketed.</p> <p>¹. Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).</p>	<p>(47) In order to adapt to adapt to take account of the development of scientific and/or technical knowledge- and of the OECD Forest Seed and Plant Scheme and other applicable international standards, and to take account of Regulation (EU) 2018/848 of the European Parliament and of the Council¹, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending (i) the requirements of the approval of concerning basic material intended for the production of FRM to be certified as of ‘source-identified’, ‘selected’, ‘qualified’; and ‘tested’ categories and (ii) the categories under which FRM from the different types of basic material may be marketed.</p> <p>¹. Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).</p>	

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Recital 48				
58	(48) In order to allow a more flexible approach for the Member States, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of setting out the conditions for temporarily authorising the marketing of FRM which does not meet all the requirements of the appropriate category.	(48) In order to allow a more flexible approach for the Member States, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of setting out the conditions for temporarily authorising the marketing of FRM which does not meet all the requirements of the appropriate category.	(48) In order to allow a more flexible approach for the Member States, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of setting out the conditions for temporarily authorising the marketing of FRM which does not meet all the requirements of the appropriate category.	
Recital 49				
59	(49) In order to adapt to the technical and scientific developments, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of setting out the requirements to be fulfilled by fruit and seed lots of the species covered by this Regulation, to be fulfilled by parts of plants of the species and artificial hybrids covered by this Regulation, for external quality standards for <i>Populus</i> spp. propagated by stem cuttings or sets, to be fulfilled by planting stock of the species and artificial hybrids covered by this Regulation, and to be fulfilled by planting stock to be marketed to final users in regions having a	(49) In order to adapt to the technical and scientific developments, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of setting out the requirements to be fulfilled by fruit and seed lots of the species covered by this Regulation, to be fulfilled by parts of plants of the species and artificial hybrids covered by this Regulation, for external quality standards for <i>Populus</i> spp. propagated by stem cuttings or sets, to be fulfilled by planting stock of the species and artificial hybrids covered by this Regulation, and to be fulfilled by planting stock to be marketed to final users in regions having a	(49) In order to adapt to the technical and development of scientific developments or technical knowledge , the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of setting out the certain requirements to be fulfilled by fruit and seed concerning seed units lots of the tree such species covered by this Regulation, to be fulfilled by other than their hybrids, concerning parts of plants of the such species and artificial their hybrids covered by this Regulation, for concerning external quality standards for Populus Populus spp. propagated by stem cuttings or sets, to be fulfilled by concerning	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Mediterranean climate.	Mediterranean climate.	planting stock of the tree species and artificial their hybrids covered by this Regulation, and to be fulfilled by concerning planting stock to be marketed to final users in regions having a Mediterranean climate with particular eco-climatic conditions.	
Recital 49a				
59a			(49a) In order to increase the credibility of the system for the authorisation of the professional operators and the official supervision by the competent authorities, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of setting out the procedure for the application submitted by the professional operator to be authorised, and the actions to be taken by the competent authority to confirm compliance with the respective requirements.	
Recital 50				
60	(50) In order to adapt with the EU Digital Strategy and the technical developments in the digitisation of services, the power to adopt acts in accordance with Article 290 TFEU should be	(50) In order to adapt with the EU Digital Strategy and the technical developments in the digitisation of services, the power to adopt acts in accordance with Article 290 TFEU should be	(50) In order to adapt with meet the aim of the EU Digital Strategy ¹ to make the transformation to digital technologies work for people and businesses, and to take account	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	delegated to the Commission in respect of establishing rules concerning digital recording of all actions taken by the professional operator and the competent authorities, in order to issue the master certificate, and concerning the establishment of a centralised platform that connects all the Member States and the Commission.	delegated to the Commission in respect of establishing rules concerning digital recording of all actions taken by the professional operator and the competent authorities, in order to issue the master certificate, and concerning the establishment of a centralised platform that connects all the Member States and the Commission.	<p>of and the technical developments in the digitisation digitalisation of services, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of establishing rules concerning digital recording of all actions taken by master certificates, of the official labels and of the professional operator and the competent authorities, in order to issue the master certificate,'s documents and concerning the establishment of a centralised platform that connects all the Member States and the Commission.</p> <p>1. [1] Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, 2030 Digital Compass: the European way for the Digital Decade (COM(2021)118 final).</p>	
Recital 51				
61	(51) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work for those delegated acts, including at expert level, and that those	(51) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work for those delegated acts, including at expert level, and that those	(51) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work for those on delegated acts, including at expert level, and that those	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>¹. OJ L 123, 12.5.2016, p. 1.</p>	<p>consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>¹. OJ L 123, 12.5.2016, p. 1.</p>	<p>consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p>¹. OJ L 123, 12.5.2016, p. 1.</p>	
Recital 52				
62	<p>(52) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with respect to the establishment of specific conditions as regards the requirements and content of the notification of the basic material.</p>	<p>(52) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with respect to the establishment of specific conditions as regards the requirements and content of the notification of the basic material.</p>	<p>(52) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with respect to the establishment of specific conditions as regards the requirements and content of the notification of the basic material.</p>	
Recital 52a				
62a			<p>(52a) In order to ensure a proportionate approach, in the case of small quantities, certain requirements for the marketing</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			of seeds should not have to be fulfilled. In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with respect to determining the small quantities for the species to be excluded from certain marketing requirements.	
Recital 48				
62b	<p>(48) In order to allow a more flexible approach for the Member States, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of setting out the conditions for temporarily authorising the marketing of FRM which does not meet all the requirements of the appropriate category.</p> <p>Moved reference text</p>		<p>(48) In order to allow a more flexible approach for the Member States, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of setting out the conditions for temporarily authorising the marketing of FRM which does not meet all the requirements of the appropriate category.</p> <p>Moved from row 58 [58 - 62b]</p>	
Recital 53				
63	<p>(53) In order to ensure uniform conditions for the implementation of this Regulation, and facilitate the recognisability and use of master certificates, implementing powers should be conferred on the</p>	<p>(53) In order to ensure uniform conditions for the implementation of this Regulation, and facilitate the recognisability and use of master certificates, implementing powers should be conferred on the</p>	<p>(53) In order to ensure uniform conditions for the implementation of this Regulation, and facilitate the recognisability and use of master certificates, implementing powers should be</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Commission with respect to adopting the content and the model for the master certificate of identity for FRM derived from seed sources and stands, FRM derived from seed orchards or parents of family(ies), and FRM derived from clones and clonal mixtures.	Commission with respect to adopting the content and the model for the master certificate of identity for FRM derived from seed sources and stands, FRM derived from seed orchards or parents of family(ies), and FRM derived from clones and clonal mixtures.	conferred on the Commission with respect to adopting the content and the model for the master certificate of identity for FRM derived from seed sources and stands, FRM derived from seed orchards or parents of family(ies), and FRM derived from clones and clonal mixtures as well as to laying down rules concerning the mechanisms and technical arrangements to ensure the issuance of accurate and reliable master certificates, and prevent risk of fraud, the procedures to be followed in the case of withdrawal of master certificates and for the issuance of replacement certificates, rules for the production of certified copies of master certificates, and rules for the issuance of electronic certificates and for the use of electronic signatures.	
Recital 54				
64	(54) In order to ensure uniform conditions for the implementation of this Regulation, and ensure a harmonised framework for the labelling and provision of information concerning FRM, implementing powers should be conferred on the Commission with	(54) In order to ensure uniform conditions for the implementation of this Regulation, and ensure a harmonised framework for the labelling and provision of information concerning FRM, implementing powers should be conferred on the Commission with	(54) In order to ensure uniform conditions for the implementation of this Regulation, and ensure a harmonised framework for the labelling and provision of information concerning FRM, implementing powers should be conferred on the Commission with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	respect to setting out the content of the official label, the additional information in the case of seeds and small quantities of seeds, the colour of the label for specific categories or other types of FRM, and additional information in the case of specific genera or species.	respect to setting out the content of the official label, the additional information in the case of seeds and small quantities of seeds, the colour of the label for specific categories or other types of FRM, and additional information in the case of specific genera or species.	respect to setting out the content format of the official label, the additional information in the case of seeds and small quantities of seeds, the colour of the label for and the professional operator's document for all or specific categories or other types of FRM. In order to ensure alignment with the respective international standards, Member States may decide to use colours, when they decide to do so they should use the colours as defined, and additional information in the case of specific genera or species Rules and Regulations of the OECD Forest Schemes.	
Recital 55				
65	(55) In order to ensure uniform conditions for the implementation of this Regulation, and adapt to the developments concerning the digitisation of the FRM sector, implementing powers should be conferred on the Commission with respect to setting out the technical arrangements for the issuance of electronic master certificates.	(55) In order to ensure uniform conditions for the implementation of this Regulation, and adapt to the developments concerning the digitisation of the FRM sector, implementing powers should be conferred on the Commission with respect to setting out the technical arrangements for the issuance of electronic master certificates.	(55) In order to ensure uniform conditions for the implementation of this Regulation, and adapt to the developments concerning the digitisation of the FRM sector, implementing powers should be conferred on the Commission with respect to setting out the technical arrangements for the issuance of electronic master certificates, electronic official labels and electronic professional operators' documents.	
Recital 55a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
65a			(55a) In order to ensure uniform conditions for the implementation of this Regulation, and to ensure the approval of basic material of the source-identified category by the professional operators, implementing powers should be conferred on the Commission with the respect to granting such approval subject to certain conditions.	
Recital 56				
66	(56) In order to ensure uniform conditions for the implementation of this Regulation, and to address urgent supply problems of FRM, implementing powers should be conferred on the Commission with respect to temporarily approving for marketing FRM of one or more species which satisfies less stringent requirements than the ones set out in this Regulation concerning the approval of basic material.	(56) In order to ensure uniform conditions for the implementation of this Regulation, and to address urgent supply problems of FRM, implementing powers should be conferred on the Commission with respect to temporarily approving for marketing FRM of one or more species which satisfies less stringent requirements than the ones set out in this Regulation concerning the approval of basic material.	(56) In order to ensure uniform conditions for the implementation of this Regulation, and to address urgent supply problems of FRM, implementing powers should be conferred on the Commission with respect to temporarily approving for marketing FRM of one or more species which satisfies less stringent requirements than the ones set out in this Regulation concerning the approval of basic material.	
Recital 57				
67	(57) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with respect to	(57) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with respect to	(57) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with respect to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	deciding on the organisation of temporary experiments to seek improved alternatives to the requirements of this Regulation as regards the assessment and approval of basic material and the production and marketing of FRM.	deciding on the organisation of temporary experiments to seek improved alternatives to the requirements of this Regulation as regards the assessment and approval of basic material and the production and marketing of FRM.	deciding on the organisation of temporary experiments to seek improved alternatives to the requirements of this Regulation as regards the assessment and approval of basic material and the production and marketing of FRM.	
Recital 57a				
67a			(57a) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with respect to authorising Member States, under certain conditions, to adopt more stringent or additional production requirements for the approval of basic material and the production of FRM, to restrict the approval of basic material intended for the production of FRM of the category "source-identified" or to prohibit the marketing to the end user with a view to sowing or planting in all or part of its territory of specified reproductive material.	
Recital 57b				
67b			(57b) In order to ensure uniform conditions for the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			implementation of this Regulation, implementing powers should be conferred on the Commission with respect to deciding if FRM of specific genera, species, or categories and, where appropriate, deriving from specific types of basic material or of a specific region of provenance, produced in a third country fulfils requirements equivalent to those applicable to FRM produced and marketed in the Union.	
Recital 57c				
67c			(57c) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with respect to laying down certain rules on uniform practical arrangements for the performance of the official controls to verify compliance with the rules on FRM.	
Recital 57d				
67d			(57d) In order to ensure uniform conditions for the implementation of this Regulation, implementing	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			powers should be conferred on the Commission with respect to specifying the technical format, including digital submission and processing, for the reports submitted by the Member States to the Commission every 5 years on quantities of certified FRM by categories per year, quantities of FRM per genera and species imported from third countries, penalties, number of registered professional operators.	
Recital 57e				
67e			<p>(57e) The implementing powers conferred on the Commission under this Regulation should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>1. [1] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).</p>	
Recital 58				
68	(58) To improve consistency of	(58) To improve consistency of	(58) To improve consistency of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	FRM rules with the Union plant health legislation, Articles 36, 37, 40, 41, 49, 53 and 54 of Regulation (EU) 2016/2031 should apply to the production and marketing of FRM pursuant to this Regulation. In order to ensure consistency with the rules of Regulation (EU) 2016/2031 on plant passports, it should be allowed to combine the official label for FRM with the plant passport.	FRM rules with the Union plant health legislation, Articles 36, 37, 40, 41, 49, 53 and 54 of Regulation (EU) 2016/2031 should apply to the production and marketing of FRM pursuant to this Regulation. In order to ensure consistency with the rules of Regulation (EU) 2016/2031 on plant passports, it should be allowed to combine the official label for FRM with the plant passport.	FRM rules with the Union plant health legislation, Articles 36, 37, 40, 41, 49, 53 and 54 FRM marketed in accordance with this Regulation, should also comply with the rules set out in, or pursuant to the relevant provisions of Regulation (EU) 2016/2031 should apply to the production and marketing of FRM concerning Union quarantine pests, protected zone quarantine pests and Union regulated non-quarantine pests, and with the measures adopted pursuant to this Article 30(1) of that Regulation. In order to ensure consistency with the rules of Regulation (EU) 2016/2031 on plant passports, it should be allowed to combine the official label for FRM with the plant passport.	
Recital 59				
69	(59) Regulation (EU) 2017/625 should be amended in order to include in its scope rules on official controls in regards to FRM. This is to ensure more consistent official controls and enforcement of the rules across Member States concerning FRM, and consistency with other Union acts concerning	(59) Regulation (EU) 2017/625 should be amended in order to include in its scope rules on official controls in regards to FRM. This is to ensure more consistent official controls and enforcement of the rules across Member States concerning FRM, and consistency with other Union acts concerning	(59) Because of the specificities of the FRM sector, this Regulation (EU) 2017/625 should be amended in order to include in its scope rules on official controls in regards to FRM. This is to ensure more consistent official controls and enforcement of the rules across Member States	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the official controls of plants, in particular, Regulation (EU) 2016/2031 and Regulation (EU) .../... of the European Parliament and of the Council.	the official controls of plants, in particular, Regulation (EU) 2016/2031 and Regulation (EU) .../... of the European Parliament and of the Council.	concerning FRM, and consistency with other Union acts concerning contains specific provisions on the official controls of plants FRM and does not fall as such under the scope of Regulation 2017/625. However, in order to ensure that official controls are applied consistently across Member States and in order to create synergies with the system of official controls concerning similar sectors in particular, Regulation (EU) 2016/2031 and that of plants in addition to enabling Member States to use existing instruments and tools such as IMSOC for the verification of compliance with the rules on FRM, provisions on official controls in this Regulation (EU) .../... of the European Parliament and of the Council should be supplemented by the necessary provisions of Regulation 2017/625.	
Recital 60				
70	(60) Regulations (EU) 2016/2031 and 2017/625 should therefore be amended accordingly.	(60) Regulations (EU) 2016/2031 and 2017/625 should therefore be amended accordingly.	(60) Regulations (EU) 2016/2031 and (EU) 2017/625 should therefore be amended accordingly.	
Recital 61				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
71	(61) For reasons of legal clarity and transparency, Directive 1999/105/EC should be repealed.	(61) For reasons of legal clarity and transparency, Directive 1999/105/EC should be repealed.	(61) For reasons of legal clarity and transparency, Directive 1999/105/EC should be repealed.	
Recital 62				
72	(62) Since the objective of this Regulation, namely to ensure a harmonised approach with regard to the production and marketing of FRM, cannot be sufficiently achieved by the Member States but can rather, by reason of its effects, complexity, and international character, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not exceed what is necessary in order to achieve that objective. In this view, and as necessary, it introduces derogations or specific requirements for certain types of FRM and professional operators.	(62) Since the objective of this Regulation, namely to ensure a harmonised approach with regard to the production and marketing of FRM, cannot be sufficiently achieved by the Member States but can rather, by reason of its effects, complexity, and international character, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not exceed what is necessary in order to achieve that objective. In this view, and as necessary, it introduces derogations or specific requirements for certain types of FRM and professional operators.	(62) Since the objective of this Regulation, namely to ensure a harmonised approach with regard to the production and marketing of FRM, cannot be sufficiently achieved by the Member States but can rather, by reason of its effects, complexity, and international character, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not exceed what is necessary in order to achieve that objective. In this view, and as necessary, it introduces derogations or specific requirements for certain types of FRM and professional operators.	
Recital 63				
73	(63) In view of the time and resources required for the competent authorities and the professional operators concerned to	(63) In view of the time and resources required for the competent authorities and the professional operators concerned to	(63) In view of the time and resources required for the competent authorities and the professional operators concerned to	

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	adapt to the new requirements set out in this Regulation, this Regulation should apply from ... [3 years from the date of entry into force of this Regulation],	adapt to the new requirements set out in this Regulation, this Regulation should apply from ... [3 years from the date of entry into force of this Regulation],	adapt to the new requirements set out in this Regulation, this Regulation should apply from ... [3 5 years from the date of entry into force of this Regulation];.	
Recital 63a				
73a			(63a) FRM produced, before [date of application] in accordance with the provisions of Directive 1999/105/EC or national rules, should be allowed to continue to be marketed until exhaustion of the respective stocks. FRM produced in accordance with Directive 1999/105 should be allowed to continue to be marketed with a master certificate issued pursuant to that Directive. This is necessary, in order to avoid any disruption of the production and marketing of FRM in the Union,	
Formula				
74	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
CHAPTER I				
75	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	
Article 1				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
76	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter	
Article 1, first paragraph				
77	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, <u>official controls</u> and the national contingency plans.	This Regulation sets out rules concerning the production with a view to marketing , 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 and traceability of FRM, requirements for official controls , FRM categories, requirements for FRM identity and quality, certification, labelling, packaging, imports, professional operators, the registration of basic material and the national contingency plans.	
Article 2				
78	Article 2 Scope	Article 2 Scope	Article 2 Scope and objectives	
Article 2(1)				
79	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 thereof , listed in Annex I, <u>with a view to being marketed</u> .	1. This Regulation applies to FRM of the tree species listed in Annex I and their and artificial hybrids thereof , considered as such if at least one of the parent species is listed in Annex I.	

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Article 2(2)				
80	2. The objectives of this Regulation are the following:	2. The objectives of this Regulation are the following:	2. The objectives of this Regulation are to contribute to the maintenance and establishment of resilient forests, the restoration of forest ecosystems, to support their ecosystem services and the establishment of other tree plantings in particular through the following:	
Article 2(2), point (a)				
81	(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 <u>correct</u> functioning of the internal market in FRM;	(a) ensure the sustainable production and , marketing and traceability of high-quality FRM in the Union and the functioning of the internal market in FRM;	
Article 2(2), point (b)				
82	(b) help create resilient forests, conserve biodiversity and restore forest ecosystems;	(b) help create resilient <u>and productive</u> forests, conserve biodiversity, <u>prevent the use of invasive species</u> and restore forest ecosystems <u>and their functioning, inter alia, by promoting interspecific and intraspecific genetic variation</u> ;	(b) help create resilient forests, conserve biodiversity and restore forest ecosystems;	
Article 2(2), point (c)				
83	(c) support wood and biomaterials production, climate adaptation, climate mitigation and the conservation and sustainable	(c) support wood and biomaterials production, climate adaptation, climate mitigation and the conservation and sustainable	(c) the support wood and biomaterials production, climate adaptation, climate mitigation and the conservation and of sustainable	

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	use of forest genetic resources.	use of forest genetic resources.	use of forest genetic resources. production of wood;	
Article 2(2), point (ca)				
83a			(ca) the support of sustainable production of biomaterials, biomass and other forest products;	
Article 2(2), point (cb)				
83b			(cb) the support of the conservation of forest genetic resources;	
Article 2(2), point (cc)				
83c			(cc) the contribution to adaptation of FRM and forests to climate change;	
Article 2(2), point (cd)				
83d			(cd) the contribution to mitigation of climate change;	
Article 2(2), point (ce)				
83e			(ce) the contribution to protection against soil erosion.	
Article 2(3), first subparagraph				
84	3. The Commission shall be empowered to adopt delegated acts, in accordance with Article 26, amending the list set out in Annex I as specified in paragraph 3, taking into account:	3. The Commission shall be empowered to adopt delegated acts, in accordance with Article 26, amending the list set out in Annex I as specified in paragraph 3, taking into account:	3. The Commission shall be empowered to adopt delegated acts, in accordance with Article 26, amending the list set out in Annex I as specified in paragraph 3,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2(3), first subparagraph, point (a)				
85	(a) the movement of vegetation zones and tree species' ranges as a result of climate change;	(a) the movement of vegetation zones and tree species' ranges as a result of climate change;	(a) the movement of vegetation zones and ecological changes, shift of tree species² and their ranges as a result of climate change;	
Article 2(3), first subparagraph, point (b)				
86	(b) any developments of technical or scientific knowledge.	(b) any relevant developments of technical or scientific knowledge.	(b) any developments of technical or scientific or technical knowledge.	
Article 2(3), 3a.				
87	Those delegated acts shall add species and artificial hybrids to the list in Annex I, if such species and artificial hybrids fulfil at least one of the following elements:	Those delegated acts shall add species and artificial hybrids to the list in Annex I, if such species and artificial hybrids fulfil at least one of the following elements:	3a. Those The delegated acts referred to in paragraph 3 shall add tree species and artificial hybrids to the list in Annex I, if such species and artificial hybrids fulfil at least one of the following elements:	
Article 2(3a), point (a)				
88	(a) represent a significant area and economic value of FRM production in the Union;	(a) represent a significant area and economic value of FRM production in the Union;	(a) they represent a significant area and economic value of FRM production in the Union;	
Article 2(3a), point (b)				
89	(b) are marketed in at least two Member States;	(b) are marketed in at least two Member States;	(b) they are marketed as FRM in at least two Member States;	
Article 2(3a), point (c)				
90	(c) are considered important for their contribution to adaptation to climate change, and	(c) are considered important for their contribution to adaptation to climate change, and	(c) they are considered important for their contribution to adaptation to climate change,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			and and/or conservation of forest genetic resources.	
Article 2(3a), point (d)				
91	(d) are considered important for their contribution to the conservation of biodiversity.	(d) are considered important for their contribution to the conservation of biodiversity.	(d) are considered important for their contribution to the conservation of biodiversity.	
Article 2(3b)				
92	The delegated acts referred to in the first subparagraph shall remove species and artificial hybrids from the list in Annex, I if they no longer fulfil any of the elements set out in the first subparagraph.	The delegated acts referred to in the first subparagraph shall remove species and artificial hybrids from the list in Annex, I if they no longer fulfil any of the elements set out in the first subparagraph.	3b. The delegated acts referred to in the first subparagraph paragraph 3 shall remove species and artificial hybrids from the list in Annex, I, if they no longer fulfil any of the elements set out in the first subparagraph paragraph 3a .	
Article 2(4)				
93	4. This Regulation does not apply to the following:	4. This Regulation does not apply to the following:	4. This Regulation does not apply to the following:	
Article 2(4), point (a)				
94	(a) plant reproductive material referred to in Article 2 of Regulation (EU) .../... [Office of Publications, please insert reference to Regulation on production and marketing of plant reproductive material];	(a) plant reproductive material referred to in Article 2 of Regulation (EU) .../... [Office of Publications, please insert reference to Regulation on production and marketing of plant reproductive material];	(a) plant reproductive material referred to in Article 2 of Regulation (EU) .../... [Office of Publications, please insert reference to Regulation on production and marketing of plant reproductive material];	
Article 2(4), point (b)				
95	(b) propagating material of ornamental plants as defined in Article 2 of Directive 98/56/EC;	(b) propagating material of ornamental plants as defined in Article 2 of Directive 98/56/EC;	(b) propagating material of ornamental plants as defined in Article 2 of Directive 98/56/EC;	

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Article 2(4), point (c)				
96	(c) FRM produced for export to third countries;	(c) FRM produced for export to third countries;	(c) FRM produced for solely with the intention to export to third countries, under the condition that it is identified as such;	
Article 2(4), point (d)				
97	(d) FRM used for official testing, scientific purposes or selection work.	(d) FRM used for official testing, scientific purposes or selection work.	(d) FRM used solely for official testing, scientific purposes or selection work -, under the condition that it is identified as such through labelling and traceability;	
Article 2(4), point (da)				
97a			(da) FRM when subject to service contracts for the purposes of cleaning, disinfection, treatments, and transport, provided that all the conditions are fulfilled:	
Article 2(4), point (da)(i)				
97b			(i) the provider of services does not acquire title to either that FRM or the product of the harvest;	
Article 2(4), point (da)(ii)				
97c			(ii) the traceability of that FRM is ensured; and	
Article 2(4), point (da)(iii)				

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97d			(ii) the professional operator producing that FRM has provided upon request the competent authority with a copy of the relevant parts of the contract made with the provider of services including the standards and conditions met by the FRM provided.	
Article 2(4), point (da)(iv)				
97e			(iv) the provider of service processing that FRM for the purposes of cleaning, disinfection, treatments with the exception of transport services is registered in a register referred to in article 10 (1) b).	
Article 2(4a)				
97f			4a. For tree species not listed in Annex I of this Regulation and their hybrids, considered as such, if none of the parent species are listed in Annex I, Member States may take measures contained in this Regulation, or less stringent measures, or stricter measures, in respect of their own territory.	
Article 3				
98	Article 3 Definitions	Article 3 Definitions	Article 3 Definitions	
Article 3, first paragraph				

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99	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	
Article 3, first paragraph, point (1)				
100	(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:	(1) ‘forest reproductive material’ (‘FRM’) means cones, infructescences, fruits and seeds intended for the production of <u>seed units, parts of plants and</u> planting stock, stocks 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 <u>and direct seeding</u> for any of the following purposes:	(1) ‘forest reproductive material’ (‘FRM’) means cones, infructescences, fruits and seeds intended for the production of seed units, parts of plants and planting stock, that belong to tree species and artificial hybrids thereof listed in Annex I to this Regulation and and their hybrids and are intended to be used for afforestation, reforestation, diversification in a forest plot and other tree planting, for one or more for any of the following purposes:	
Article 3, first paragraph, point (1)(-a)				
100a			(-a) multifunctional forestry;	
Article 3, first paragraph, point (1)(a)				
101	(a) wood and biomaterials production;	(a) wood and biomaterials production;	(a) production of wood, biomass or other forest products;	
Article 3, first paragraph, point (1)(b)				
102	(b) biodiversity conservation;	(b) <u>conservation of forest genetic resources and</u> biodiversity conservation <u>and enhancement</u> ;	(b) biodiversity conservation;	
Article 3, first paragraph, point (1)(c)				

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103	(c) restoration of forest ecosystems;	(c) restoration of forest ecosystems <u>and other wooded land, and supporting their functioning;</u>	(c) restoration of forest ecosystems;	
Article 3, first paragraph, point (1)(ca)				
103a		<u>(ca) setting up or restoring agroforestry systems;</u>		
Article 3, first paragraph, point (1)(d)				
104	(d) climate adaptation;	(d) climate adaptation;	(d) climate adaptation;	
Article 3, first paragraph, point (1)(e)				
105	(e) climate mitigation;	(e) climate mitigation;	(e) climate mitigation;	
Article 3, first paragraph, point (1)(f)				
106	(f) conservation and sustainable use of forest genetic resources.	(f) conservation and sustainable use of forest genetic resources.	(f) conservation and sustainable use of forest genetic resources-	
Article 3, first paragraph, point (4)				
106a	(4) ‘seed unit’ means cones, infructescences, fruits and seeds intended for the production of a planting stock; Moved reference text		(4) ‘seed unit’ means cones, infructescences, fruits and seeds intended for the production of a planting stock or for direct sowing; Moved from row 109 [109 - 106a]	
Article 3, first paragraph, point (5)				
106b	(5) ‘planting stock’ means any plant or part of a plant used in plant propagation and comprises plants raised from seed units, from parts		(5) ‘planting stock’ means any plant or part of a plant used in plant propagation and comprises plants raised from seed units, from parts	

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	of plants, or from plants from natural regeneration; Moved reference text		of plants, or from plants from natural regeneration; Moved from row 110 [110 - 106b]	
Article 3, first paragraph, point (6)				
106c	(6) ‘parts of plants’ means stem cuttings, leaf cuttings and root cuttings, explants or embryos used for micropropagation, buds, layers, roots, scions, sets and any other parts of a plant used for the production of a planting stock; Moved reference text		(6) ‘parts of plants’ means stem cuttings, leaf cuttings and root cuttings, explants or embryos used for micropropagation, buds, layers, roots, scions, sets stem-cutting without roots and any other parts of a plant used for the production of a planting stock; Moved from row 111 [111 - 106c]	
Article 3, first paragraph, point (2)				
107	(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 form non-forest to forest ¹ ; 1. FAO (2020) Global Forest Resources Assessment Terms and definitions. https://www.fao.org/3/I8661EN/i8661en.pdf .	(2) ‘afforestation’ means establishment of forest through planting and/or deliberate seeding <i>of regional adapted tree species</i> on land that, until then, was under a different land use implies a transformation of land use form non-forest to forest ¹ ; 1. FAO (2020) Global Forest Resources Assessment Terms and definitions. https://www.fao.org/3/I8661EN/i8661en.pdf .	(2) ‘afforestation’ means establishment of forest through planting and/or deliberate seeding on land that, until then, was under a different land use and implies a transformation of land use form from non-forest to forest ¹ ; 1. [1] FAO (2020) Global Forest Resources Assessment Terms and definitions. https://www.fao.org/3/I8661EN/i8661en.pdf .	
Article 3, first paragraph, point (3)				
108	(3) ‘reforestation’ means re-establishment of forest through	(3) ‘reforestation’ means re-establishment of forest through	(3) ‘reforestation’ means re-establishment of forest through	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	planting and/or deliberate seeding on land classified as forest ¹ ; 1. FAO (2020) Global Forest Resources Assessment Terms and definitions. https://www.fao.org/3/I8661EN/i8661en.pdf .	planting and/or deliberate seeding <u>of regional adapted tree species</u> on land classified as forest ¹ ; 1. FAO (2020) Global Forest Resources Assessment Terms and definitions. https://www.fao.org/3/I8661EN/i8661en.pdf .	planting and/or deliberate seeding and/or vegetative propagation and/or natural regeneration on land classified as forest ¹ ; 1. [1] FAO (2020) Global Forest Resources Assessment Terms and definitions. https://www.fao.org/3/I8661EN/i8661en.pdf .	
Article 3, first paragraph, point (3a)				
108a		<u>(3a) ‘agroforestry’ means the integration of trees on agricultural land without changing the classification of that land;</u>		
Article 3, first paragraph, point (14)				
108b	(14) ‘basic material’ means any of the following: seed source, stand, seed orchard, parents of family(ies), clone or clonal mixtures; Moved reference text		(14) ‘ type of basic material’ means any of the following: seed source, stand, seed orchard, parents of family(ies), clone or clonal mixtures; Moved from row 119 [119 - 108a]	
Article 3, first paragraph(4)				
109	(4) ‘seed unit’ means cones, infructescences, fruits and seeds intended for the production of a planting stock;	(4) ‘seed unit’ means cones, infructescences, fruits and seeds intended for the production of a planting stock <u>or for direct seeding</u> ;	(4) ‘seed unit’ means cones, infructescences, fruits and seeds intended for the production of a planting stock or for direct sowing ;	
Article 3, first paragraph, point (5)				

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110	(5) ‘planting stock’ means any plant or part of a plant used in plant propagation and comprises plants raised from seed units, from parts of plants, or from plants from natural regeneration;	(5) ‘planting stock’ means any plant or part of a plant used in plant propagation and comprises plants raised from seed units, from parts of plants, or from plants from natural regeneration;	(5) ‘planting stock’ means any plant or part of a plant used in plant propagation and comprises plants raised from seed units, from parts of plants, or from plants from natural regeneration;	
Article 3, first paragraph, point (6)				
111	(6) ‘parts of plants’ means stem cuttings, leaf cuttings and root cuttings, explants or embryos used for micropropagation, buds, layers, roots, scions, sets and any other parts of a plant used for the production of a planting stock;	(6) ‘parts of plants’ means stem cuttings, leaf cuttings and root cuttings, explants or embryos used for micropropagation, buds, layers, roots, scions, sets and any other parts of a plant used for the production of a planting stock;	(6) ‘parts of plants’ means stem cuttings, leaf cuttings and root cuttings, explants or embryos used for micropropagation, buds, layers, roots, scions, sets stem-cutting without roots and any other parts of a plant used for the production of a planting stock;	
Article 3, first paragraph, point (7)				
112	(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 the seed seeds, parts of plants and plants, the conversion from seed unit to seed, and the raising of plants from a and also those necessary to obtain an adequate planting stock, with a view for the respective FRM to be marketed;	(7) ‘production’ means all stages in the generation of lots of FRM, including harvest, collection, storage, processing and of the seed and plants, the conversion from seed unit to seed, and the raising of seed units lots and parts of plants from a planting stock lots, growing, multiplying, maintaining, storage and harvest of plants lots with a view for the respective FRM to be marketed;	
Article 3, first paragraph, point (8)				
113	(8) ‘seed source’ means the trees within an area, from which	(8) ‘seed source’ means the trees within an a defined area, from	(8) ‘seed source’ means the trees within an area, from which	

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	seed is collected;	which a seed unit ^{seed} is collected;	seed FRM is collected;	
Article 3, first paragraph, point (9)				
114	(9) ‘stand’ means a delineated population of trees possessing sufficient uniformity in composition;	(9) ‘stand’ means a delineated population of trees possessing sufficient uniformity in composition;	(9) ‘stand’ means a delineated population of trees possessing sufficient uniformity in composition;	
Article 3, first paragraph, point (10)				
115	(10) ‘seed orchard’ means a plantation of selected trees, where each tree is identified by a clone, family or provenance, which is isolated or managed to avoid or reduce pollination from outside sources, and managed to produce frequent, abundant and easily harvested crops of seed;	(10) ‘seed orchard’ means a plantation of selected trees, where each tree is identified by a clone, family or provenance, which is isolated or managed to avoid or reduce pollination from outside sources, and managed to produce frequent, abundant and easily harvested crops of seed;	(10) ‘seed orchard’ means a plantation of selected trees, where each tree ^{individual} is identified by a clone, or family or provenance , which is isolated or managed to avoid or reduce pollination from outside sources, and managed to produce frequent, abundant and easily harvested crops of seed units ;	
Article 3, first paragraph, point (11)				
116	(11) ‘parents of family(ies)’ means trees used as parents to obtain progeny by controlled or open pollination of one identified parent used as a female (‘mother tree’), with the pollen of one ‘father tree’, full sibling) or a number of identified or unidentified ‘father trees’ (half-sibling);	(11) ‘parents of family(ies)’ means trees used as parents to obtain progeny by controlled or open pollination of one identified parent used as a female (‘mother tree’), with the pollen of one ‘father tree’, full sibling) or a number of identified or unidentified ‘father trees’ (half-sibling);	(11) ‘parents of family(ies)’ means trees used as parents to obtain progeny by controlled or open pollination of one identified parent used as a female (‘mother tree’), with the pollen of one ‘father tree’ , parent (full sibling) or a number of identified or unidentified ‘father trees’ parents (half-sibling);	
Article 3, first paragraph, point (12)				
117	(12) ‘clone’ means a group of	(12) ‘clone’ means a group of	(12) ‘clone’ means a single	

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	individuals (ramets) derived originally from a single individual (ortet) by vegetative propagation, for example by cuttings, micropropagation, grafts, layers or divisions;	individuals (ramets) derived originally from a single individual (ortet) by vegetative propagation, for example by cuttings, micropropagation, grafts, layers or divisions;	individual or group of individuals (ramets) derived originally from a single individual (ortet) by vegetative propagation, for example by cuttings, micropropagation, grafts, layers or divisions, or derived originally from cell lines;	
Article 3, first paragraph, point (13)				
118	(13) ‘clonal mixture’ means a mixture of identified clones in defined proportions;	(13) ‘clonal mixture’ means a mixture of identified clones in defined proportions;	(13) ‘clonal mixture’ means a mixture of identified clones in defined proportions;	
Article 3, first paragraph, point (14)				
119	(14) ‘basic material’ means any of the following: seed source, stand, seed orchard, parents of family(ies), clone or clonal mixtures;	(14) ‘basic material’ means any of the following: seed source, stand, seed orchard, parents of family(ies), clone or clonal mixtures;	(14) ‘type of basic material’ means any of the following: seed source, stand, seed orchard, parents of family(ies), clone or clonal mixtures;	
Article 3, first paragraph, point (15)				
120	(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 <u>or individuals</u> 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 individual(s) of basic material for the production of FRM that has been authorised by the competent authorities;	
Article 3, first paragraph, point (16)				
121	(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	(16) ‘unit of notification’ means the entire area <u>or individual(s)</u> of basic material for the production of FRM intended for the purpose of the conservation and sustainable	(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	

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	genetic resources that has been notified to the competent authorities;	use of forest genetic resources that has been notified to the competent authorities;	genetic resources that has been notified to the competent authorities;	
Article 3, first paragraph, point (17)				
122	(17) 'seed lot' means a set of seeds collected from approved basic material and processed uniformly;	(17) 'seed lot' means a set of <u>extracted and/or cleaned</u> seeds collected from approved basic material and processed uniformly;	(17) 'seed lot' means a set of seeds originally collected from approved basic material and processed uniformly;	
Article 3, first paragraph, point (18)				
123	(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 planting stock that has been grown <u>plants that have been produced</u> from a single seed lot or a <u>set of</u> vegetatively propagated planting stock <u>plants</u> which has been raised <u>have been produced</u> in a delineable area and processed uniformly;	(18) 'plant lot' 'plants lot' means a set of planting stock plants 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;	
Article 3, first paragraph, point (18a)				
123a			(18a) Lot means a set of FRM;	
Article 3, first paragraph, point (18b)				
123b			(18b) 'seed units lot' means a set of seed units originally collected from approved basic material and processed uniformly;	
Article 3, first paragraph, point (18c)				
123c			(18c) 'parts of plants lot' means a set of parts of plants	

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			originally collected and processed uniformly;	
Article 3, first paragraph, point (19)				
124	(19) ‘lot number’ means the identification number of the seed lot or plant lot, as appropriate;	(19) ‘lot number code ’ means the identification number code of the seed lot or plant lot, as appropriate;	(19) ‘lot number code ’ means the identification number code of the seed lot or plant lot, as appropriate lot ;	
Article 3, first paragraph, point (20)				
125	(20) ‘provenance’ means the place in which any stand of trees is growing;	(20) ‘provenance’ means the place in which any stand of trees is growing;	(20) ‘provenance’ means the name of the place in which any seed source or stand of trees is growing;	
Article 3, first paragraph, point (21)				
126	(21) ‘sub-species’ means a group within a species that has become somewhat phenotypically and genetically different from the rest of the group;	(21) ‘sub-species’ means a group within a species that has become somewhat phenotypically and genetically different from the rest of the group;	(21) ‘sub-species’ means a group within a species that has become somewhat phenotypically and genetically different from the rest of the group;	
Article 3, first paragraph, point (22)				
127	(22) ‘region of provenance’ means, in regard to species or sub-species, the area or group of areas subject to sufficiently uniform ecological conditions, in which stands or seed sources showing similar phenotypic or genetic characteristics are found, taking into account altitudinal boundaries, where appropriate;	(22) ‘region of provenance’ means, in regard to species or sub-species, the area or group of areas subject to sufficiently uniform ecological conditions, in which stands or seed sources showing similar phenotypic or genetic characteristics are found, taking into account altitudinal boundaries, where appropriate;	(22) ‘region of provenance’ means, in regard to species or sub-species, the meansthe area or group of areas subject to sufficiently uniform ecological conditions, in which stands or seed sources showing similar phenotypic or genetic characteristics are found, taking into account altitudinal boundaries, where appropriate;	
Article 3, first paragraph, point (22a)				

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127a				
Article 3, first paragraph, point (23)				
128	(23) ‘autochthonous stand’ means a stand of native tree species which has been continuously regenerated either by natural regeneration or artificially from FRM collected in the same stand or stands of native tree species within close proximity;	(23) ‘autochthonous stand’ means a stand of native tree species which has been continuously regenerated either by natural regeneration or artificially from FRM collected in the same stand or stands of native tree species within close proximity;	(23) ‘autochthonous seed source or stand’ means a a seed source or stand of native tree species which has been continuously and naturally regenerated either by natural regeneration or artificially regenerated from FRM collected in the same seed source or stand or in other autochthonous seed sources or stands of native tree species within in the close proximity;	
Article 3, first paragraph, point (24)				
129	(24) ‘indigenous stand’ means an autochthonous stand or a stand raised artificially from seed, where the origin of this stand and the stand itself are located in the same region of provenance;	(24) ‘indigenous stand’ means an autochthonous stand or a stand raised artificially from seed, where the origin of this stand and the stand itself are located in the same region of provenance;	(24) ‘indigenous seed source or stand’- means an autochthonous stand or a seed source or stand of tree species located in a specific region of provenance that is part of the natural distribution range of that species, raised artificially from seed, where or vegetatively propagated , the origin of this stand and the stand itself are located in which is situated within the same region of provenance;	
Article 3, first paragraph, point (25)				
130	(25) ‘origin’ means the following:	(25) ‘origin’ means the following:	(25) ‘origin’ means the following:	

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Article 3, first paragraph, point (25)(a)				
131	(a) for an autochthonous seed source or stand, the place in which the trees are growing;	(a) for an autochthonous seed source or stand, the place in which the trees are growing;	(a) for an autochthonous seed source or stand, the place in which the trees are growing;	
Article 3, first paragraph, point (25)(b)				
132	(b) for a non-autochthonous seed source or stand, the place from which the seed or plants were originally introduced;	(b) for a non-autochthonous seed source or stand, the place from which the seed or plants were originally introduced;	(b) for a non-autochthonous seed source or stand, the place from which the seed or plants were originally introduced;	
Article 3, first paragraph, point (25)(c)				
133	(c) for a seed orchard, the places where its components were originally located, such as their provenances or other relevant geographical information;	(c) for a seed orchard, the places where its components were originally located, such as their provenances or other relevant geographical information;	(c) for a seed orchard, the places where its components were originally located, such as their provenances or other relevant geographical information;	
Article 3, first paragraph, point (25)(d)				
134	(d) for the parents of families, the places where their components were originally located, such as their provenances or other relevant geographical information;	(d) for the parents of families, the places where their components were originally located, such as their provenances or other relevant geographical information;	(d) for the parents of families, the places where their components were originally located, such as their provenances or other relevant geographical information;	
Article 3, first paragraph, point (25)(e)				
135	(e) for a clone, the origin is the place, where the ortet is or was initially located or selected;	(e) for a clone, the origin is the place, where the ortet is or was initially located or selected;	(e) for a clone, the origin is the place, where the ortet or cell line is or was initially located or selected;	
Article 3, first paragraph, point (25)(f)				
136	(f) for a clonal mixture, the origins are the places, where the	(f) for a clonal mixture, the origins are the places, where the	(f) for a clonal mixture, the origins are the places, where the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ortets are or were initially located or selected;	ortets are or were initially located or selected;	ortets or cell lines are or were initially located or selected;	
Article 3, first paragraph, point (26)				
137	(26) 'location of the basic material' means the geographical area or geographical position(s) of the basic material as appropriate for each category of FRM;	(26) 'location of the basic material' means the geographical area or geographical position(s) of the basic material as appropriate for each category of FRM;	(26) 'location of the basic material' means the geographical area or geographical position(s) of the basic material as appropriate for each category of FRM;	
Article 3, first paragraph, point (27)				
138	(27) 'place of production of clones or clonal mixtures or parents of families' means the place or exact geographical position, where the FRM was produced;	(27) 'place of production of clones or clonal mixtures or parents of families' means the place or exact geographical position, where the FRM was produced;	(27) 'place of production of clones or clonal mixtures or parents of families' means the place or exact geographical position, where the FRM was produced;	
Article 3, first paragraph, point (28)				
139	(28) 'foundation stock' means a plant, group of plants, FRM, DNA stock or genetic information of the clone, or clones in case of clonal mixture, that serves as a reference material for the control of the identity of the clone(s);	(28) 'foundation stock' means a plant, group of plants, FRM, DNA stock or genetic information of the clone, or clones in case of clonal mixture, that serves as a reference material for the control of the identity of the clone(s);	(28) 'foundation stock' means a plant, group of plants, FRM, DNA stock or genetic information of the clone, or clones in case of clonal mixture, that serves as a reference material for the control of the identity of the clone(s);	
Article 3, first paragraph, point (29)				
140	(29) 'set' means a stem cutting without roots;	(29) 'set' means a stem cutting without roots;	(29) 'set' means a stem cutting without roots;	
Article 3, first paragraph, point (30)				
141	(30) 'marketing' means the following actions conducted by a	(30) 'marketing' means the following <u>commercial</u> actions	(30) 'marketing' means the following actions conducted by a	

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	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;	conducted by a professional operator: sale, holding or offering for the purpose of sale or any other way of transferring, distribution, <u>including dispatching</u> , within, or import into the Union, whether free of charge or not, of FRM;	professional operator: sale, holding or offering for the purpose of sale or any other way of transferring, distribution (with the exception of external transport services) within, or import into the Union, whether free of charge or not, of FRM;	
Article 3, first paragraph, point (31)				
142	(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, <u>with the authorisation of the competent authorities</u> , in one or more of the following activities, <u>aimed at the commercial exploitation of the FRM</u> :	(31) ‘professional operator’ means any natural or legal person involved professionally in charge of one or more of the following activities:	
Article 3, first paragraph, point (31)(a)				
143	(a) production, including growing, multiplying and maintaining of the FRM;	(a) production, including growing, multiplying and maintaining of the FRM;	(a) Production, including growing, multiplying and maintaining of the of FRM;	
Article 3, first paragraph, point (31)(b)				
144	(b) marketing of the FRM;	(b) marketing of the FRM;	(b) marketing of the FRM;	
Article 3, first paragraph, point (31)(c)				
145	(c) storage, collection, dispatching and processing of the FRM;	(c) storage, collection, dispatching and processing of the FRM;	(c) storage, collection, dispatching and processing of the FRM;	
Article 3, first paragraph, point (7)				
145a	(7) ‘production’ means all		(7) ‘production’ means all	

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	<p>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;</p> <p>Moved reference text</p>		<p>stages in the generation of lots of FRM, including harvest, collection, storage, processing and of the seed and plants, the conversion from seed unit to seed, and the raising of seed units lots and parts of plants from a planting stock lots, growing, multiplying, maintaining, storage and harvest of plants lots with a view for the respective FRM to be marketed;</p> <p>Moved from row 112 [112 - 145a]</p>	
Article 3, first paragraph, point (30)				
145b	<p>(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;</p> <p>Moved reference text</p>		<p>(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 (with the exception of external transport services) within, or import into the Union, whether free of charge or not, of FRM;</p> <p>Moved from row 141 [141 - 145b]</p>	
Article 3, first paragraph, point (32)				
146	<p>(32) ‘competent authority’ means a central or regional authority of a Member State, or, where applicable, the corresponding authority of a third</p>	<p>(32) ‘competent authority’ means a central or regional authority of a Member State, or, where applicable, the corresponding authority of a third</p>	<p>(32) ‘competent authority’ means</p> <p>(a) a central or regional authority of a Member State including that designated in</p>	

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	country, responsible for the organisation of official controls, registration of basic material, certification of FRM and other official activities concerning the production and marketing of FRM, or any other authority to which that responsibility has been conferred, in accordance with Union law;	country, responsible for the organisation of official controls, registration of basic material, certification of FRM and other official activities concerning the production and marketing of FRM, or any other authority to which that responsibility has been conferred, in accordance with Union law;	accordance with Article 4 of the Regulation (EU) 2017/625, responsible for the organisation of the official controls and other official activities; or, (b) –a central or regional authority of a Member State, or, where applicable, the corresponding authority of a third country, responsible for the organisation of official controls, registration of basic material; and professional operators and certification of FRM and other official activities concerning the production and marketing of FRM, or any other authority to which that responsibility has been conferred, in accordance with Union law;	
Article 3, first paragraph, point (32a)				
146a			(32a) ‘delegated body’ means a separate legal person to which the competent authorities have delegated certain official control tasks or certain tasks related to other official activities;	
Article 3, first paragraph, point (38)				
146b	(38) ‘category’ means FRM that qualifies as source-identified, selected, qualified or tested material;		(38) ‘category’ means the classification of FRM that qualifies as source-identified, selected, qualified or tested material;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Moved reference text		Moved from row 152 [152 - 146b]	
Article 3, first paragraph, point (33)				
147	(33) ‘source-identified’ means a category of FRM derived from basic material consisting of either a seed source or stand located within a single region of provenance and which meets the requirements set out in Annex II;	(33) ‘source-identified’ means a category of FRM derived from basic material consisting of either a seed source or stand located within a single region of provenance and which meets the requirements set out in Annex II;	(33) ‘source-identified’ means a category of FRM derived from basic material consisting of either a seed source or stand located within a single region of provenance and which meets the requirements set out in Annex II;	
Article 3, first paragraph, point (34)				
148	(34) ‘selected’ means a category of FRM derived from basic material consisting of a stand located within a single region of provenance, which has been phenotypically selected at the population level and which meets the requirements set out in Annex III;	(34) ‘selected’ means a category of FRM derived from basic material consisting of a stand located within a single region of provenance, which has been phenotypically selected at the population level and which meets the requirements set out in Annex III;	(34) ‘selected’ means a category of FRM derived from basic material consisting of a stand located within a single region of provenance, which has been phenotypically selected at the population level and which meets the requirements set out in Annex III;	
Article 3, first paragraph, point (35)				
149	(35) ‘qualified’ means a category of FRM derived from basic material consisting of seed orchards, parents of family(ies), clones or clonal mixtures, the components of which have been phenotypically selected at the individual level, and which meets the requirements set out in Annex IV;	(35) ‘qualified’ means a category of FRM derived from basic material consisting of seed orchards, parents of family(ies), clones or clonal mixtures, the components of which have been phenotypically selected at the individual level, and which meets the requirements set out in Annex IV;	(35) ‘qualified’ means a category of FRM derived from basic material consisting of seed orchards, parents of family(ies), clones or clonal mixtures, the components of which have been phenotypically selected at the individual level, and which meets the requirements set out in Annex IV;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3, first paragraph, point (36)				
150	(36) 'tested' means a category of FRM derived from basic material consisting of stands, seed orchards, parents of family(ies), clones or clonal mixtures and which meets the requirements set out in Annex V;	(36) 'tested' means a category of FRM derived from basic material consisting of stands, seed orchards, parents of family(ies), clones or clonal mixtures and which meets the requirements set out in Annex V;	(36) 'tested' means a category of FRM derived from basic material consisting of stands, seed orchards, parents of family(ies), clones or clonal mixtures, where the superiority of that FRM has been demonstrated by comparative testing or an estimate of the superiority of the FRM has been calculated on the basis of the genetic evaluation of the components of the basic material , and which meets the requirements set out in Annex V;	
Article 3, first paragraph, point (37)				
151	(37) 'official certification' means certification of source-identified, selected, qualified and tested FRM, if all relevant inspections and, where appropriate, sampling and FRM testing have been carried out by the competent authority and if it has been concluded that the FRM meets the respective requirements of this Regulation;	(37) 'official certification' means certification of source-identified, selected, qualified and tested FRM, if all relevant inspections and, where appropriate, sampling and FRM testing have been carried out by the competent authority and if it has been concluded that the FRM meets the respective requirements of this Regulation;	(37) 'official certification' means certification of source-identified, selected, qualified and tested FRM, if all relevant inspections and the procedure leading to the issuance of a master certificate and the issuance itself , where appropriate, sampling and FRM testing have been carried out by the competent authority and if it has been concluded that the FRM meets the respective requirements of, as the issuance of the official label, according to the rules provided for in this Regulation;	
Article 3, first paragraph, point (37a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
151a			(37a) ‘official controls’ means activities performed by the competent authorities responsible for the organisation of the official controls to verify the compliance with the respective requirements of this Regulation;	
Article 3, first paragraph, point (37b)				
151b			(37b) ‘other official activities’ means activities other than official controls concerning the production and marketing of FRM;	
Article 3, first paragraph, point (37c)				
151c			(37c) ‘documentary check’ means the examination of the master certificates and other documents;	
Article 3, first paragraph, point (37d)				
151d				
Article 3, first paragraph, point (37e)				
151e				
Article 3, first paragraph, point (38)				
152	(38) ‘category’ means FRM that qualifies as source-identified, selected, qualified or tested material;	(38) ‘category’ means FRM that qualifies as source-identified, selected, qualified or tested material;	(38) ‘category’ means the classification of FRM that qualifies as source-identified, selected, qualified or tested material;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3, first paragraph, point (39)				
153	(39) ‘genetically modified organism’ means a genetically modified organism as defined in Article 2(2) of Directive 2001/18/EC, excluding organisms obtained through the techniques of genetic modification listed in Annex I B to Directive 2001/18/EC;	(39) ‘genetically modified organism’ means a genetically modified organism as defined in Article 2(2) of Directive 2001/18/EC, excluding organisms obtained through the techniques of genetic modification listed in Annex I B to Directive 2001/18/EC;	(39) ‘genetically modified organism’ means a genetically modified organism as defined in Article 2(2) of Directive 2001/18/EC, excluding organisms obtained through the techniques of genetic modification listed in Annex I BA, part 2 to Directive 2001/18/EC;	
Article 3, first paragraph, point (40)				
154	<p>(40) ‘NGT plant’ means plants obtained by certain new genomic techniques as defined in Article 3, point 2 of Regulation (EU) [Office of Publications, please insert reference to Regulation on plants obtained by certain new genomic techniques and their food and feed] of the European Parliament and of the Council ¹;</p> <p>1. Regulation (EU) .../... of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed, and amending Directives 68/193/EEC, 1999/105/EC, 2002/53/EC, 2002/55/EC, and Regulation (EU) 2017/625 (OJ ...).</p>	<p>(40) ‘NGT plant’ means plants obtained by certain new genomic techniques as defined in Article 3, point 2 of Regulation (EU) [Office of Publications, please insert reference to Regulation on plants obtained by certain new genomic techniques and their food and feed] of the European Parliament and of the Council ¹;</p> <p>1. Regulation (EU) .../... of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed, and amending Directives 68/193/EEC, 1999/105/EC, 2002/53/EC, 2002/55/EC, and Regulation (EU) 2017/625 (OJ ...).</p>	<p>(40) ‘NGT plant’ means plants obtained by certain new genomic techniques as defined in Article 3, point 2 of Regulation (EU) [Office of Publications, please insert reference to Regulation on plants obtained by certain new genomic techniques and their food and feed] Office of Publications, please insert reference to Regulation on plants obtained by certain new genomic techniques and their food and feed Office of Publications, please insert reference to Regulation on plants obtained by certain new genomic techniques and their food and feed] of the European Parliament and of the Council ¹;</p> <p>1. [1] Regulation (EU) .../... of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed, and amending Directives 68/193/EEC, 1999/105/EC, 2002/53/EC, 2002/55/EC, and Regulation (EU) 2017/625 (OJ 2002/55/EC(OJ ...)).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3, first paragraph, point (41)				
155	(41) ‘seed transfer zones’ means an area and/or altitudinal zones designated by the competent authorities for the movement of FRM belonging to the source-identified and selected categories, taking into account, as appropriate, the origin and provenance of the FRM, provenance trials, environmental conditions and future climatic change projections;	(41) ‘seed transfer zones’ means an area and/or altitudinal zones designated by the competent authorities for the movement of FRM belonging to the source-identified and selected categories, taking into account, as appropriate, the origin and provenance of the FRM, provenance trials, environmental conditions and future climatic change projections;	(41) ‘seed transfer zones’ means an area and/or altitudinal zones designated by the competent authorities for the movement of FRM belonging to the source-identified and selected categories, taking into account, as appropriate, the origin and provenance of the FRM, provenance trials, environmental conditions and future climatic change projections;	
Article 3, first paragraph, point (42)				
156	(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 <u>and parents of family(ies)</u> ’ 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, <u>parents of family(ies)</u> and its components, results of progeny and provenance trials, environmental conditions and future climatic change projections;	(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;	
Article 3, first paragraph, point (43)				
157	(43) ‘deployment area for clones and clonal mixtures’ means	(43) ‘deployment area for clones and clonal mixtures’ means	(43) ‘deployment area for clones and clonal mixtures’ means	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	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;	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 <u>and clonal</u> trials, the environmental conditions and future climatic change projections;	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;	
Article 3, first paragraph, point (44)				
158	(44) ‘FOREMATIS’ means the Forest Reproductive Material Information System of the Commission;	(44) ‘FOREMATIS’ means the Forest Reproductive Material Information System of the Commission;	(44) ‘FOREMATIS’ means the Forest Reproductive Material Information System of the Commission;	
Article 3, first paragraph, point (45)				
159	(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 a <u>the</u> forest by trees that develop from seeds which have fallen and germinated in situ <u>natural processes through natural seeding, sprouting, suckering or layering;</u>	(45) ‘natural regeneration’ means the renewal of a forest by trees that develop from seeds which have fallen and germinated in situ natural processes;	
Article 3, first paragraph, point (46)				
160	(46) ‘quality pests’ means pests fulfilling all of the following:	(46) ‘quality pests’ means pests fulfilling all of the following:	(46) ‘quality pests’ means pests fulfilling all of the following:	
Article 3, first paragraph, point (46)(a)				
161	(a) they are not Union	(a) they are not Union	(a) they are not Union	

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	quarantine pests, protected zone quarantine pests, or regulated non-quarantine pests ('RNQPs') within the meaning of Regulation (EU) 2016/2031, nor pests subject to the measures adopted pursuant to Article 30(1) of that Regulation;	quarantine pests, protected zone quarantine pests, or regulated non-quarantine pests ('RNQPs') within the meaning of Regulation (EU) 2016/2031, nor pests subject to the measures adopted pursuant to Article 30(1) of that Regulation;	quarantine pests, protected zone quarantine pests, or regulated non-quarantine pests ('RNQPs') within the meaning of Regulation (EU) 2016/2031, nor pests subject to the measures adopted pursuant to Article 30(1) of that Regulation;	
Article 3, first paragraph, point (46)(b)				
162	(b) they occur during FRM production or storage; and	(b) they occur during FRM production or storage; and	(b) they occur during FRM production or storage; and	
Article 3, first paragraph, point (46)(c)				
163	(c) their presence has an unacceptable adverse impact on the quality of the FRM, and an unacceptable economic impact as regards the use of that FRM in the Union;	(c) their presence has an unacceptable adverse impact on the quality of the FRM, and an unacceptable economic impact as regards the use of that FRM in the Union;	(c) their presence has an unacceptable adverse impact on the quality of the FRM, and an unacceptable economic impact as regards the use of that FRM in the Union;	
Article 3, first paragraph, point (47)				
164	(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 <u>quality</u> pests' means completely free from <u>quality</u> 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 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.	
CHAPTER II				
165	CHAPTER II BASIC MATERIAL AND FRM DERIVING FROM IT	CHAPTER II BASIC MATERIAL AND FRM DERIVING FROM IT	CHAPTER II BASIC MATERIAL AND FRM DERIVING FROM IT	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 4				
166	Article 4 Approval of basic material for the production of FRM	Article 4 Approval of basic material for the production of FRM	Article 4 Approval of basic material for the production of FRM	
Article 4(1)				
167	1. Only basic material approved by the competent authorities may be used for the production of FRM.	1. Only basic material approved by the competent authorities may be used for the production of FRM.	1. Only basic material approved by the competent authorities may be used for the production of FRM.	
Article 4(2), first subparagraph				
168	2. Basic material intended for the production of FRM to be certified as ‘source-identified’ shall be approved, if it fulfils the requirements set out in Annex II.	2. Basic material intended for the production of FRM to be certified as ‘source-identified’ shall be approved, if it fulfils the requirements set out in Annex II.	2. Basic material intended for the production of FRM to be certified as ‘source-identified’ shall be approved, if it fulfils the requirements set out in Annex II.	
Article 4(2), second subparagraph				
169	Basic material intended for the production of FRM to be certified as ‘selected’ shall be approved, if it fulfils the requirements set out in Annex III.	Basic material intended for the production of FRM to be certified as ‘selected’ shall be approved, if it fulfils the requirements set out in Annex III.	Basic material intended for the production of FRM to be certified as ‘selected’ shall be approved, if it fulfils the requirements set out in Annex III.	
Article 4(2), third subparagraph				
170	Basic material intended for the production of FRM to be certified as ‘qualified’ shall be approved, if it fulfils the requirements set out in Annex IV.	Basic material intended for the production of FRM to be certified as ‘qualified’ shall be approved, if it fulfils the requirements set out in Annex IV.	Basic material intended for the production of FRM to be certified as ‘qualified’ shall be approved, if it fulfils the requirements set out in Annex IV.	
Article 4(2), fourth subparagraph				
171	Basic material intended for the	Basic material intended for the	Basic material intended for the	

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	production of FRM to be certified as ‘tested’ shall be approved, if it fulfils the requirements set out in Annex V.	production of FRM to be certified as ‘tested’ shall be approved, if it fulfils the requirements set out in Annex V.	production of FRM to be certified as ‘tested’ shall be approved, if it fulfils the requirements set out in Annex V.	
Article 4(2), fifth subparagraph				
172	The assessment of the requirements laid down in Annexes II to V for the approval of basic material, may include besides visual inspection, documentary checks, tests and analyses or other complementary methods, also the use of bio-molecular techniques, if they are considered more appropriate for the purpose of that approval.	The assessment of the requirements laid down in Annexes II to V for the approval of basic material, may include besides visual inspection, documentary checks, tests and analyses or other complementary methods, also the use of bio-molecular techniques, if they are considered more appropriate for the purpose of that approval.	The assessment of the requirements laid down in Annexes II to V for the approval of basic material, may include besides visual inspection, documentary checks, tests and analyses or other complementary methods, also the use of bio-molecular biochemical and molecular techniques (BMT), if they are considered more appropriate for the purpose of that approval.	
Article 4(2), sixth subparagraph				
173	The basic material for all categories shall be assessed for its sustainability characteristics as set out in Annexes II to V, to take into account the climatic and ecological conditions.	The basic material for all categories shall be assessed for its sustainability characteristics as set out in Annexes II to V, to take into account the climatic and ecological conditions.	The basic material for all categories shall be assessed for its sustainability characteristics as set out in Annexes II to V, to take into account the climatic and ecological conditions.	
Article 4(2), seventh subparagraph				
174	The approval of the basic material shall be carried out with a reference to the unit of approval.	The approval of the basic material shall be carried out with a reference to the unit of approval.	The approval of the basic material shall be carried out with a reference to the unit of approval.	
Article 4(2), eighth subparagraph				
175	The Commission is empowered to	The Commission is empowered to	The Commission is empowered to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	adopt delegated acts in accordance with Article 26 amending Annexes II, III, IV and V, as regards requirements for the approval of basic material intended for the production of:	adopt delegated acts in accordance with Article 26 amending Annexes II, III, IV and V, as regards requirements for the approval of basic material intended for the production of:	adopt delegated acts in accordance with Article 26 amending Annexes II, III, IV and V, as regards requirements for the approval of basic material intended for the production of:	
Article 4(2), eighth subparagraph, point (a)				
176	(a) FRM of ‘source-identified’ category, and in particular the requirements concerning types of basic material, effective size of the population, origin and region of provenance, sustainability characteristics;	(a) FRM of ‘source-identified’ category, and in particular the requirements concerning types of basic material, effective size of the population, origin and region of provenance, sustainability characteristics;	(a) FRM of the ‘source-identified’ category, and in particular the requirements concerning types of basic material, effective size of the population, origin and region of provenance, sustainability characteristics;	
Article 4(2), eighth subparagraph, point (b)				
177	(b) FRM of the ‘selected’ category, and in particular the requirements concerning origin, isolation, effective size of the population, age and development, uniformity, sustainability characteristics, volume production, wood quality, and form or growth habit;	(b) FRM of the ‘selected’ category, and in particular the requirements concerning origin, isolation, effective size of the population, age and development, uniformity, sustainability characteristics, volume production, wood quality, and form or growth habit;	(b) FRM of the ‘selected’ category, and in particular the requirements concerning origin, isolation, effective size of the population, age and development, uniformity, sustainability characteristics, volume production, wood quality, and form or growth habit;	
Article 4(2), eighth subparagraph, point (c)				
178	(c) FRM of the ‘qualified’ category, and in particular the requirements concerning orchards, parents of family(ies), clones, and clonal mixtures;	(c) FRM of the ‘qualified’ category, and in particular the requirements concerning orchards, parents of family(ies), clones, and clonal mixtures;	(c) FRM of the ‘qualified’ category, and in particular the requirements concerning orchards, parents of family(ies), clones, and clonal mixtures;	
Article 4(2), eighth subparagraph, point (d)				

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179	(d) FRM of the ‘tested’ category, and in particular the requirements concerning characteristics to be examined, documentation, setting up the tests, analysis and validity of the tests, the genetic evaluation of the components of basic material, the comparative testing of FRM, provisional approval and early tests;	(d) FRM of the ‘tested’ category, and in particular the requirements concerning characteristics to be examined, documentation, setting up the tests, analysis and validity of the tests, the genetic evaluation of the components of basic material, the comparative testing of FRM, provisional approval and early tests;	(d) FRM of the ‘tested’ category, and in particular the requirements concerning characteristics to be examined, documentation, setting up the tests, analysis and validity of the tests, the genetic evaluation of the components of basic material, the comparative testing of FRM, provisional approval and early tests.	
Article 4(2), eighth subparagraph, point (e)				
180	(e) FRM in accordance with the requirements of Regulation (EU) 2018/848 of the European Parliament and of the Council.	<i>deleted</i>	(e) FRM in accordance with the requirements of Regulation (EU) 2018/848 of the European Parliament and of the Council.	
Article 4(2), ninth subparagraph				
181	Those amendments shall adapt the rules for the approval of basic material to the development of scientific and technical knowledge, and the development of the OECD Forest Seed and Plant Scheme and other applicable international standards.	Those amendments shall adapt the rules for the approval of basic material to the development of scientific and technical knowledge, and the development of the OECD Forest Seed and Plant Scheme and other applicable international standards.	Those amendments shall adapt the rules for the approval of basic material to the development of scientific and/or technical knowledge, and the development of the OECD Forest Seed and Plant Scheme and other applicable including the use of biochemical and molecular techniques (BMT), and to the relevant international standards.	
Article 4(3)				
182	3. Only approved basic material shall be included under	3. Only approved basic material shall be included under	3. Only approved basic material shall be included under	

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	the form of a unit of approval in the national register pursuant to Article 12. Each unit of approval shall be identified by a unique register reference in a national register.	the form of a unit of approval in the national register pursuant to Article 12. Each unit of approval shall be identified by a unique register reference in a national register.	the form of a unit of approval in the national register pursuant to Article 12. Each unit of approval shall be identified by a unique register reference in a national register.	
Article 4(4)				
183	4. The approval of basic material shall be withdrawn, if the requirements set out in this Regulation are no longer met.	4. The approval of basic material shall be withdrawn, if the requirements set out in this Regulation are no longer met.	4. The approval of basic material shall be withdrawn, if the requirements set out in this Regulation are no longer met.	
Article 4(5)				
184	5. After approval, the basic material intended for the production of FRM under the selected, qualified and tested categories shall be re-inspected by the competent authorities at regular intervals.	5. After approval, the basic material intended for the production of FRM under the selected, qualified and tested categories shall be re-inspected by the competent authorities at regular intervals.	5. After approval, the basic material intended for the production of FRM under the selected, qualified and tested categories shall be re-inspected by the competent authorities at regular intervals.	
Article 4(6)				
185	6. The Commission is empowered to adopt delegated acts in accordance with Article 26 amending Annexes II, III, IV and V, in order to adapt them to the development of scientific and technical knowledge, in particular regarding the use of bio-molecular techniques and to the relevant international standards.	6. The Commission is empowered to adopt delegated acts in accordance with Article 26 amending Annexes II, III, IV and V, in order to adapt them to the development of scientific and technical knowledge, in particular regarding the use of bio-molecular techniques and to the relevant international standards.	6. The Commission is empowered to adopt delegated acts in accordance with Article 26 amending Annexes II, III, IV and V, in order to adapt them to the development of scientific and technical knowledge, in particular regarding the use of bio-molecular techniques and to the relevant international standards.	
Article 5				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
186	Article 5 Requirements for the marketing of FRM derived from approved basic material	Article 5 Requirements for the marketing of FRM derived from approved basic material	Article 5 Requirements for the marketing of FRM derived from approved basic material	
Article 5(-1)				
186a			-1 FRM of the source-identified, selected, qualified or tested category may only be marketed within the Union:	
Article 5(-1a), point (a)				
186b			(a) if it is accompanied by:	
Article 5(-1b), point (a) (i)				
186c			(i) an official label issued by the competent authorities; or	
Article 5(-1), point (a)(ii)				
186d			(ii) an official label issued by the professional operator under the official supervision of the competent authorities;	
Article 5(-1), point (b)				
186e			(b) if it complies with paragraph 1;	
Article 5(-1), point (c)				
186f			(c) if it is accompanied by an professional operator's document, as referred to in Article 16.	
Article 5(1)				

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187	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 <u>by professional operators</u> :	1. FRM derived from approved basic material shall be marketed by professional operators in accordance with the following rules:	
Article 5(1), point (a)				
188	(a) FRM of the species listed in Annex I may only be marketed, if it is of the categories ‘source-identified’, ‘selected’, ‘qualified’ or ‘tested’, and it has been derived from basic material that has been approved pursuant to Article 4 and if that basic material meets the requirements of Annexes II, III, IV and V, respectively;	(a) FRM of the species listed in Annex I may only be marketed, if it is of the categories ‘source-identified’, ‘selected’, ‘qualified’ or ‘tested’, and it has been derived from basic material that has been approved pursuant to Article 4 and if that basic material meets the requirements of Annexes II, III, IV and V, respectively;	(a) FRM of the tree species listed in Annex I and their natural hybrids may only be marketed, if it is of the categories ‘source-identified’, ‘selected’, ‘qualified’ or ‘tested’, and it has been derived from basic material that has been approved pursuant to Article 4 and if that basic material meets the requirements of Annexes II, III, IV and V, respectively;	
Article 5(1), point (b)				
189	(b) FRM of the artificial hybrids listed in Annex I may only be marketed, if it is of the ‘selected’, ‘qualified’ or ‘tested’ categories, and it has been derived from basic material that has been approved pursuant to Article 4 and if that basic material meets the requirements of Annexes III, IV and V, respectively;	(b) FRM of the artificial hybrids listed in Annex I may only be marketed, if it is of the ‘selected’, ‘qualified’ or ‘tested’ categories, and it has been derived from basic material that has been approved pursuant to Article 4 and if that basic material meets the requirements of Annexes III, IV and V, respectively;	(b) FRM of the artificial hybrids of the tree species listed in Annex I may only be marketed, if it is of the ‘selected’, ‘qualified’ or ‘tested’ categories, and it has been derived from basic material that has been approved pursuant to Article 4 and if that basic material meets the requirements of Annexes III, IV and V, respectively;	
Article 5(1), point (c)				
190	(c) FRM of the tree species and artificial hybrids listed in	(c) FRM of the tree species and artificial hybrids listed in	(c) FRM of the tree species and artificial hybrids listed in	

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	Annex I, which are vegetatively reproduced, may only be marketed if:	Annex I, which are vegetatively reproduced, may only be marketed if:	Annex I, which are vegetatively reproduced, may only be marketed if:	
Article 5(1), point (c)(i)				
191	(i) it is of the ‘selected’, ‘qualified’ or ‘tested’ categories, and	(i) it is of the ‘selected’, ‘qualified’ or ‘tested’ categories, and	(i) it is of the ‘selected’, ‘qualified’ or ‘tested’ categories, and	
Article 5(1), point (c)(ii)				
192	(ii) it has been derived from basic material which has been approved pursuant to Article 4 and which meets the requirements of Annexes III, IV and V, respectively;	(ii) it has been derived from basic material which has been approved pursuant to Article 4 and which meets the requirements of Annexes III, IV and V, respectively;	(ii) it has been derived from basic material which has been approved pursuant to Article 4 and which meets the requirements of Annexes III, IV and V, respectively;	
Article 5(1), point (c)(iii)				
193	(iii) FRM of the ‘selected’ category, may only be marketed if it has been mass propagated from seeds;	(iii) FRM of the ‘selected’ category, may only be marketed if it has been mass propagated from seeds;	(iii) FRM of the ‘selected’ category, may only be marketed if it has been mass propagated from seeds;	
Article 5(1), point (d)				
194	(d) FRM of the tree species and artificial hybrids listed in Annex I, which contains or consists in genetically modified organisms, may only be marketed if:	(d) FRM of the tree species and artificial hybrids listed in Annex I, which contains or consists in genetically modified organisms, may only be marketed if:	(d) FRM of the tree species and artificial hybrids listed in Annex I; and their hybrids which contains or consists in of genetically modified organisms, may only be marketed if:	
Article 5(1), point (d)(i)				
195	(i) it is of the ‘tested’ category, and	(i) it is of the ‘tested’ category, and	(i) it is of the ‘tested’ category, and	

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Article 5(1), point (d)(ii)				
196	(ii) it has been derived from basic material which has been approved pursuant to Article 4 and which meets the requirements of Annex V; and	(ii) it has been derived from basic material which has been approved pursuant to Article 4 and which meets the requirements of Annex V; and	(ii) it has been derived from basic material which has been approved pursuant to Article 4 and which meets the requirements of Annex V ; and	
Article 5(1), point (d)(iii)				
197	(iii) it is authorised for cultivation in the Union pursuant to Article 19 of Directive 2001/18/EC or Articles 7 and 19 of Regulation (EC) 1829/2003, or, where applicable, in the respective Member State in accordance with Article 26b of Directive 2001/18/EC;	(iii) it is authorised for cultivation in the Union pursuant to Article 19 of Directive 2001/18/EC or Articles 7 and 19 of Regulation (EC) 1829/2003, or, where applicable, in the respective Member State in accordance with Article 26b of Directive 2001/18/EC;	(iii) it is authorised for cultivation in the Union pursuant to Article 19 of Directive 2001/18/EC or Articles 7 and 19 of Regulation (EC) 1829/2003, or, where applicable, in the respective Member State in accordance with Article 26b of Directive 2001/18/EC;	
Article 5(1), point (d)(iiia)				
197a		<u>(iiia) the material is approved by the competent authority;</u>		
Article 5(1), point (d)(iiib)				
197b		<u>(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].</u>		
Article 5(1), point (e)				
198	(e) FRM of the tree species and artificial hybrids listed in Annex I, which contain or consist	(e) FRM of the tree species and artificial hybrids listed in Annex I, which contain or consist	(e) FRM of the tree species and artificial hybrids listed in Annex I and their hybrids , which	

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	of a category 1 NGT plant as defined in Article 3(7) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...), may only be marketed if:	of a category 1 NGT plant as defined in Article 3(7) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...), may only be marketed if:	contain or consist of a category 1 NGT plant as defined in Article 3(7) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...), may only be marketed if:	
Article 5(1), point (e)(i)				
199	(i) it is of the ‘tested’ category, and	(i) it is of the ‘tested’ category, and	(i) it is of the ‘tested’ category, and	
Article 5(1), point (e)(ii)				
200	(ii) it has been derived from basic material which has been approved pursuant to Article 4 and which meets the requirements of Annex V; and	(ii) it has been derived from basic material which has been approved pursuant to Article 4 and which meets the requirements of Annex V; and	(ii) it has been derived from basic material which has been approved pursuant to Article 4 and which meets the requirements of Annex V ; and	
Article 5(1), point (e)(iii)				
201	(iii) the plant has obtained a declaration of category 1 NGT plant status pursuant to Article 6 or 7 of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...) or is progeny of such plant(s);	(iii) the plant has obtained a declaration of category 1 NGT plant status pursuant to Article 6 or 7 of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...) or is progeny of such plant(s);	(iii) the plant has obtained a declaration of category 1 NGT plant status pursuant to Article 6 or 7 of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...) or is progeny of such plant(s);	
Article 5(1), point (f)				
202	(f) FRM of the tree species and artificial hybrids listed in Annex I, may only be marketed if it is accompanied by a reference to its master certificate number(s);	(f) FRM of the tree species and artificial hybrids listed in Annex I, may only be marketed if it is accompanied by a reference to its master certificate number(s);	(f) FRM of the tree species and artificial hybrids listed in Annex I, may only be marketed if it is accompanied by a reference to its master certificate number(s);	
Article 5(1), point (g)				

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203	(g) it complies with Articles 36, 37, 40, 41, 42, 49, 53 and 54 of Regulation (EU) 2016/2031 concerning Union quarantine pests, protected zone quarantine pests, RNQPs, and pests subject to the measures under Article 30 of that Regulation;	(g) it complies with Articles 36, 37, 40, 41, 42, 49, 53 and 54 of Regulation (EU) 2016/2031 concerning Union quarantine pests, protected zone quarantine pests, RNQPs, and pests subject to the measures under Article 30 of that Regulation;	(g) it complies with Articles 36, 37, 40, 41, 42, 49, 53 and 54 FRM marketed in accordance with this Regulation, shall also comply with the rules set out in, or pursuant to the relevant provisions of Regulation (EU) 2016/2031 concerning Union quarantine pests, protected zone quarantine pests, RNQPs , and Union regulated non-quarantine pests subject to, and with the measures under adopted pursuant to Article 30(1) of that Regulation;	
Article 5(1), point (h)				
204	(h) In the case of seeds, FRM of the tree species and artificial hybrids listed in Annex I, may only be marketed, if in addition to compliance with points (a) to (g), information is available as regards:	(h) In the case of seeds, FRM of the tree species and artificial hybrids listed in Annex I, may only be marketed, if in addition to compliance with points (a) to (g), information is available as regards:	(h) In the case of seeds seed lots , FRM of the tree species and artificial hybrids listed in Annex I, and their hybrids may only be marketed; if, in addition to compliance with points (a) to (g), information is available as regards to :	
Article 5(1), point (h)(i)				
205	(i) purity;	(i) purity;	(i) the purity, as measured by the percentage by weight of pure seed, other seed and inert matter ;	
Article 5(1), point (h)(ii)				
206	(ii) germination percentage of	(ii) germination percentage of	(ii) the germination percentage	

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	the pure seed;	the pure seed; <u>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;</u>	of the pure seed, or in cases where germination testing is impossible or impractical, the viability percentage assessed by reference to a specified method;	
Article 5(1), point (h)(iii)				
207	(iii) weight of 1000 pure seeds;	(iii) weight of 1000 pure seeds;	(iii) the weight of 1000 pure seeds;	
Article 5(1), point (h)(iv)				
208	(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, <u>in a limited period of time, the number of viable seeds per kilogram, by reference to a specific method.</u>	(iv) the number of germinable seeds per kilogram or liter 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- or liter;	
Article 5(1), point (h)(iva)				
208a			(iva) for artificial hybrids, the hybrid percentage.	
Article 5(1), point (h), second subparagraph				
208b			In the case of small quantities, the requirements as laid down in subparagraph (ii), (iv) and (v) do not have to be fulfilled. The Commission shall, by means of	

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			implementing acts, determine the quantities for the respective species. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 5(1a)				
208c			1a. By way of derogation from paragraph 1, point (h), in order to make seed of the current season's crop rapidly available, notwithstanding the fact that the examination in respect of germination as laid down in paragraph (h) points (ii) and (iv) has not been concluded, marketing of FRM may take place as far as to the first buyer. The respect of the conditions as laid down in paragraph (h) points (ii) and (iv), shall be stated by the professional operator as soon as possible. A professional operator that intends to make use of this derogation shall notify the competent authorities, once, its intention to make use of the derogation.	
Article 5(2)				
209	2. The categories under which FRM from the different types of basic material may be	2. The categories under which FRM from the different types of basic material may be	2. The categories under which FRM from the different types of basic material may be	

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	marketed are as set out in the table in Annex VI.	marketed are as set out in the table in Annex VI.	marketed are as set out in the table in Annex VI.	
Article 5(3), first subparagraph				
210	3. The Commission is empowered to adopt delegated acts in accordance with Article 26(2), amending the table of Annex VI concerning categories under which FRM from the different types of basic material may be marketed.	3. The Commission is empowered to adopt delegated acts in accordance with Article 26(2), amending the table of Annex VI concerning categories under which FRM from the different types of basic material may be marketed.	3. The Commission is empowered to adopt delegated acts in accordance with Article 26(2), amending the table of Annex VI concerning categories under which FRM from the different types of basic material may be marketed.	
Article 5(3), second subparagraph				
211	That amendment shall adapt those categories to the development of scientific and technical knowledge and of the relevant international standards.	That amendment shall adapt those categories to the development of scientific and technical knowledge and of the relevant international standards.	That amendment shall adapt those categories to the development of scientific and or technical knowledge and of to the relevant international standards.	
Article 6				
212	Article 6 Requirements for FRM derived from basic material intended for the purpose of conserving forest genetic resources	Article 6 Requirements for FRM derived from basic material intended for the purpose of conserving forest genetic resources	Article 6 Requirements for FRM derived from basic material intended for the purpose of conserving forest genetic resources	
Article 6, first paragraph				
213	In order for FRM derived from basic material subject to the derogation of Article 18 to be marketed, all the following conditions shall be fulfilled:	In order for FRM derived from basic material subject to the derogation of Article 18 to be marketed, all the following conditions shall be fulfilled:	In order for FRM derived from basic material subject to the derogation of Article 18 to be marketed, all the following conditions shall be fulfilled:	
Article 6, first paragraph, point (a)				

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214	(a) FRM of the species listed in Annex I may only be marketed, if it is of the 'source-identified' category;	(a) FRM of the species listed in Annex I may only be marketed, if it is of the 'source-identified' category;	(a) FRM of the species listed in Annex I may only be marketed, if it is of the 'source-identified' category;	
Article 6, first paragraph, point (b)				
215	(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, <u>or adapted to the goal of assisted migration when relevant</u> ; and	(b) FRM shall be of origin which is naturally adapted to the local and regional conditions; and	
Article 6, first paragraph, point (c)				
216	(c) FRM shall be collected from all individuals of the notified basic material.	(c) FRM shall be collected from all <u>a maximum number of</u> individuals of the notified basic material, <u>sufficiently numerous to preserve the genetic diversity of the species</u> ;	(c) FRM shall be collected from all individuals of the notified basic material.	
Article 6, first paragraph, point (ca)				
216a		<u>(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.</u>		
Article 7				
217	Article 7 Temporary authorisation of marketing of FRM derived from	Article 7 Temporary authorisation of marketing of FRM derived from	Article 7 Temporary authorisation of marketing of FRM	

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	basic material not meeting the category requirements	basic material not meeting the category requirements	derived satisfying less stringent requirements or deriving from basic material not meeting the category satisfying less stringent requirements	
Article 7(-1), first subparagraph				
217a			-1. In order to remove any temporary difficulties in the general supply of FRM satisfying the requirements of this Regulation that occur in one or more Member States and cannot be overcome within the Union, the Commission may, by means of implementing act, authorise one or more Member States to temporarily allow the marketing of FRM satisfying less stringent requirements than the ones referred to in Article 5(1) points (a), (b) and (h) and Article 8, or deriving from basic material which satisfies less stringent requirements than the ones referred to in Article 4(2). That implementing act shall determine the conditions of such authorisation:	
Article 7(-1), first subparagraph, point (a)				
217b			(a) the maximum duration of the authorisation, which authorisation can be at	

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			maximum 12 months;	
Article 7(-1), first subparagraph, point (b)				
217c			(b) obligations as regards official controls on the professional operators applying that authorisation;	
Article 7(-1), first subparagraph, point (c)				
217d			(c) the Member State(s) that are concerned by the temporary authorisation;	
Article 7(-1), first subparagraph, point (d)				
217e			(d) the areas, professional operators, species concerned for each Member State, as appropriate;	
Article 7(-1), first subparagraph, point (e)				
217f			(e) other conditions for marketing as necessary for each Member State;	
Article 7(-1), first subparagraph, point (f)				
217g			(f) the area in which the FRM may be marketed;	
Article 7(-1), first paragraph, point (g)				
217h			(g) restriction to certain categories.	
Article 7(-1), second subparagraph				
217i			That implementing act shall be	

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			adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 7(1), first subparagraph				
218	1. 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.	1. 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), <u>points (a), (b) and (c)</u> , following the adoption of the delegated act referred to in paragraph 2.	1. 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.	
Article 7(1), second subparagraph				
219	The competent authorities of the respective Member State shall notify the Commission and the other Member States of those temporary authorisations and of the respective reasons justifying their approval.	The competent authorities of the respective Member State shall notify the Commission and the other Member States of those temporary authorisations and of the respective reasons justifying their approval.	The competent authorities of the respective Member State shall notify the Commission and the other Member States of those temporary authorisations and of the respective reasons justifying their approval.	
Article 7(1a)				
219a			1a. FRM referred to in paragraph -1 shall be accompanied by an official label and professional operator's document issued pursuant to Articles 16(1) and 16(1b). In addition, that professional operator's document shall state	

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			that the FRM concerned satisfies less stringent requirements than the ones referred to in Article 5(1) points (a), (b) and (h) and Article 8. or has been derived from basic material which satisfies less stringent requirements than the ones set out in Article 4(2).	
Article 7(2), first subparagraph				
220	2. The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out the conditions for the granting of the temporary authorisation to the Member State concerned.	2. The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out the conditions for the granting of the temporary authorisation to the Member State concerned.	2. The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out the conditions for the granting of the temporary authorisation to the Member State concerned.	
Article 7(2), second subparagraph				
221	Those conditions shall include:	Those conditions shall include:	Those conditions shall include:	
Article 7(2), second subparagraph, point (a)				
222	(a) the justification for granting that authorisation to ensure achievement of the objectives of this Regulation;	(a) the justification for granting that authorisation to ensure achievement of the objectives of this Regulation;	(a) the justification for granting that authorisation to ensure achievement of the objectives of this Regulation;	
Article 7(2), second subparagraph, point (b)				
223	(b) the maximum duration of the authorisation;	(b) the maximum duration <u>time limit</u> of the authorisation;	(b) the maximum duration of the authorisation;	
Article 7(2), second subparagraph, point (c)				

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224	(c) obligations as regards official controls on the professional operators applying that authorisation;	(c) obligations <u>minimum requirements</u> as regards official controls on the professional operators applying that authorisation;	(c) obligations as regards official controls on the professional operators applying that authorisation;	
Article 7(2), second subparagraph, point (d)				
225	(d) the content and form of the notification referred to in paragraph 1.	(d) the content and form of the notification referred to in paragraph 1.	(d) the content and form of the notification referred to in paragraph 1.	
Article 8				
226	Article 8 Special requirements for certain species, categories and types of FRM	Article 8 Special requirements for certain species, categories and types of FRM	Article 8 Special requirements for certain species, categories and types of FRM	
Article 8, first paragraph				
227	The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing, as necessary, this Regulation as regards the requirements as appropriate for each type, species or category of FRM:	The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing, as necessary, this Regulation as regards the requirements as appropriate for each type, species or category of FRM:	The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing, as necessary, this Regulation as regards the requirements as appropriate for each type, species or category of FRM:	
Article 8, first paragraph, point (a)				
228	(a) concerning fruit and seed lots of the species listed in Annex I as regards species purity;	(a) concerning fruit and seed lots of the species listed in Annex I as regards species purity;	(a) concerning fruit and seed lots seed units of the tree species listed in Annex I other than their hybrids as regards species purity, if technically feasible ;	
Article 8, first paragraph, point (b)				

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229	(b) concerning parts of plants of the species and artificial hybrids listed in Annex I as regards quality in relation to general characteristics, health and size;	(b) concerning parts of plants of the species and artificial hybrids listed in Annex I as regards quality in relation to general characteristics, health and size;	(b) concerning parts of plants of the tree species and artificial hybrids listed in Annex I and their hybrids as regards quality in relation to general characteristics, health and size;	
Article 8, first paragraph, point (c)				
230	(c) for external quality standards for Populus spp. propagated by stem cuttings or sets as regards defects and minimum dimensions for stem cuttings and sets;	(c) for external quality standards for Populus spp. propagated by stem cuttings or sets as regards defects and minimum dimensions for stem cuttings and sets;	(c) for external quality standards for Populus spp. propagated by stem cuttings or sets as regards defects and minimum dimensions for stem cuttings and sets;	
Article 8, first paragraph, point (d)				
231	(d) concerning planting stock of the species and artificial hybrids listed in Annex I as regards quality in relation to general characteristics, health, vitality and physiological quality;	(d) concerning planting stock of the species and artificial hybrids listed in Annex I as regards quality in relation to general characteristics, health, vitality and physiological quality;	(d) concerning planting stock of the tree species and artificial hybrids listed in Annex I and their hybrids as regards quality in relation to general characteristics, health, vitality and physiological quality;	
Article 8, first paragraph, point (e)				
232	(e) concerning planting stock to be marketed to users in regions having a Mediterranean climate as regards defects, size and age of the plants and, where appropriate, size of the container.	(e) concerning planting stock to be marketed to users in regions having a Mediterranean climate as regards defects, size and age of the plants and, where appropriate, size of the container.	(e) concerning planting stock to be marketed to users in regions having a Mediterranean climate with particular eco-climatic conditions as regards defects, size and age of the plants and, where appropriate, size of the container.	
Article 8, second subparagraph				

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233	That delegated act shall be based on the experience gained by the application of the requirements as appropriate for each type, species or category of FRM as regards the provisions for inspections, sampling and testing, and isolation distances. It shall adapt those requirements based on the development of the respective international standards, the technical and scientific developments, or the climatic and ecological developments.	That delegated act shall be based on the experience gained by the application of the requirements as appropriate for each type, species or category of FRM as regards the provisions for inspections, sampling and testing, and isolation distances. It shall adapt those requirements based on the development of the respective international standards, the technical and scientific developments, or the climatic and ecological developments.	That delegated act shall be based on the experience gained by the application of the requirements as appropriate for each type, species or category of FRM as regards the provisions for inspections, sampling and testing, and isolation distances . It shall adapt those requirements based on the development of the respective international standards, the technical and the development of scientific developments or technical knowledge , or the climatic and ecological developments.	
Article 9				
234	Article 9 Contingency plan and national register	Article 9 Contingency plan and national register	Article 9 Contingency plan and national register	
Article 9(1), first subparagraph				
235	1. 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	1. 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	1. Each Member State shall may draw up one or more contingency plan plans to ensure preparedness and capacity to establish a sufficient supply of FRM to reforest areas affected by extreme weather events, wildfires, diseases diseases and pest outbreaks, disasters or any other event, as relevant and identified in the national risk assessments	

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	1313/2013/EU ¹ . 1. OJ L 347, 20.12.2013, p. 924.	1313/2013/EU ¹ . <u>The Commission shall, at the request of the Member State, make available technical support for the drawing-up of the contingency plan.</u> 1. OJ L 347, 20.12.2013, p. 924.	develop developed in accordance with Article 6(1) of Decision No 1313/2013/EU ¹ . Those plans may be coordinated between neighboring countries. 1. [1] OJ L 347, 20.12.2013, p. 924.	
Article 9(1), second subparagraph				
236	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 contingency plan shall be prepared for those tree species and artificial hybrids thereof listed in Annex I, that are deemed suitable <u>by Member States for their</u> for the current and projected future climatic and ecological conditions of the Member State concerned.	That contingency plan shall may be prepared for those one or more of the tree species and artificial hybrids thereof listed in Annex I, that are deemed suitable for the and their hybrids, on the basis of an evaluation made by the Member State, economically and/or ecologically relevant as stand forming species, under current and projected future climatic and ecological conditions of the Member State concerned.	
Article 9(1), third subparagraph				
237	The contingency plan shall take into account the projected future distribution of the relevant tree species and artificial hybrids thereof, on the basis of national and/or regional climate model simulations for the Member State concerned.	The contingency plan shall take into account the projected future distribution of the relevant tree species and artificial hybrids thereof, on the basis of national and/or regional climate model simulations for the Member State concerned.	The contingency plan plans shall take into account, when available, 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.	
Article 9(1), third subparagraph a				

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237a		<u><i>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.</i></u>		
Article 9(2)				
238	2. Member States shall, at an appropriate stage, consult all relevant stakeholders in the process of drawing up and keeping up to date such contingency plans.	2. Member States shall, at an appropriate stage, consult all relevant stakeholders in the process of drawing up and keeping up to date such contingency plans.	2. Member States shall, at an appropriate stage, consult all relevant stakeholders in the process of drawing up and keeping up to date such contingency plans.	
Article 9(3), first subparagraph				
239	3. Each contingency plan shall include the following:	3. Each contingency plan shall include the following:	3. Each contingency plan shall as appropriate for the conditions of every Member State , include the following:	
Article 9(3), first subparagraph, point (a)				
240	(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	(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	(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	

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	or natural persons involved, laboratories and professional operators, including the coordination with neighbouring Member States and neighbouring third countries, where appropriate;	or natural persons involved, laboratories and professional operators, including the coordination with neighbouring Member States and neighbouring third countries, where appropriate;	or natural persons involved, laboratories and professional operators, including the coordination with neighbouring Member States and neighbouring third countries, where appropriate;	
Article 9(3), first subparagraph, point (aa)				
240a		<u>(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;</u>		
Article 9(3), first subparagraph, point (b)				
241	(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 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 contingency planning, premises of professional operators, in particular forest nurseries and laboratories producing FRM, other relevant operators and natural persons;	
Article 9(3), first subparagraph, point (c)				
242	(c) access of competent authorities, where necessary, to equipment, personnel, external expertise and resources necessary for the rapid and effective activation of the contingency plan;	(c) access of competent authorities, where necessary, to equipment, personnel, external expertise and resources necessary for the rapid and effective activation of the contingency plan;	(c) access of competent authorities, where necessary, to equipment, personnel, external expertise and resources necessary for the rapid and effective activation of the contingency plan;	

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Article 9(3), first subparagraph, point (d)				
243	(d) measures concerning the submission of information to the Commission, the other Member States, the professional operators concerned and the public, as regards the major FRM shortage, and the measures taken against it in the event of an officially confirmed or suspected major FRM shortage;	(d) measures concerning the submission of information to the Commission, the other Member States, the professional operators concerned and the public, as regards the major FRM shortage, and the measures taken against it in the event of an officially confirmed or suspected major FRM shortage;	(d) measures concerning the submission of information to the Commission, the other Member States, the professional operators concerned and the public, as regards the major FRM shortage, and the measures taken against it in the event of an officially confirmed or suspected major FRM shortage;	
Article 9(3), first subparagraph, point (e)				
244	(e) arrangements for recording findings of the presence of any major FRM shortage;	(e) arrangements for recording findings of the presence of any major FRM shortage;	(e) arrangements for recording findings of the presence of any major FRM shortage;	
Article 9(3), first subparagraph, point (f)				
245	(f) the available assessments of the Member State as regards the risk of a major FRM shortage for its territory and its potential impact on human, animal and plant health, and the environment;	(f) the available assessments of the Member State as regards the risk of a major FRM shortage for its territory and its potential impact on human, animal and plant health, and the environment;	(f) the available assessments of the Member State as regards the risk of a major FRM shortage for its territory and its potential impact on human, animal and plant health, and the environment;	
Article 9(3), first subparagraph, point (g)				
246	(g) principles for the geographical demarcation of the area(s) where a major FRM shortage has occurred;	(g) principles for the geographical demarcation of the area(s) where a major FRM shortage has occurred;	(g) principles for the geographical demarcation of the area(s) where a major FRM shortage has occurred;	
Article 9(3), first subparagraph, point (h)				
247	(h) principles concerning the training of personnel of the competent authorities and, where	(h) principles concerning the training of personnel of the competent authorities and, where	(h) principles concerning the training appropriate competence of personnel of the competent	

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	appropriate, the bodies, public authorities, laboratories, professional operators and other persons referred to in point (a).	<u>available and</u> appropriate, the bodies, public authorities, laboratories, professional operators and other persons referred to in point (a).	authorities and, where appropriate, the bodies, public authorities, laboratories, professional operators and other persons referred to in point (a).	
Article 9(3), second subparagraph				
248	Member States shall regularly review and, where appropriate, update their contingency plans to take account of the technical and scientific developments in relation to climate model simulations addressing the projected future distribution of the relevant tree species and artificial hybrids thereof.	Member States shall regularly review and, where appropriate, update their contingency plans to take account of the technical and scientific developments in relation to climate model simulations addressing the projected future distribution of the relevant tree species and artificial hybrids thereof.	Member States shall regularly review and, where appropriate, update their contingency plans to take account of the technical and scientific developments the development of scientific or technical knowledge in relation to climate model simulations addressing the projected future distribution of the relevant tree species and artificial hybrids thereof.	
Article 9(4), first subparagraph				
249	4. Member States shall establish a national register that:	4. Member States shall establish a national register <u>referred to in Article 12</u> that:	4. Member States shall establish a national register that:	
Article 9(4), first subparagraph, point (a)				
250	(a) contains the tree species and artificial hybrids listed in Annex I, which are relevant for the current climatic and ecological conditions of the Member State concerned;	(a) contains the tree species and artificial hybrids listed in Annex I, which are relevant for the current climatic and ecological conditions of the Member State concerned;	(a) contains the tree species and artificial hybrids listed in Annex I, which are relevant for the current climatic and ecological conditions of the Member State concerned;	
Article 9(4), first subparagraph, point (b)				

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251	(b) takes account of the projected future distribution of those tree species and artificial hybrids thereof.	(b) takes account of the projected future distribution of those tree species and artificial hybrids thereof.	(b) takes account of the projected future distribution of those tree species and artificial hybrids thereof.	
Article 9(4), second subparagraph				
252	Within 4 years from the date of establishment of their national registers, Member States shall establish contingency plans for the species and artificial hybrids included in their registers.	Within 4 years from the date of establishment of their national registers, Member States shall establish contingency plans for the species and artificial hybrids included in their registers.	Within 4 years from the date of establishment of their national registers, Member States shall establish contingency plans for the species and artificial hybrids included in their registers.	
Article 9(5)				
253	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.	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.	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.	
Article 9(6)				
254	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.	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.	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.	
CHAPTER III				
255	CHAPTER III REGISTRATION OF	CHAPTER III REGISTRATION OF	CHAPTER III CHAPTER IIb	

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	PROFESSIONAL OPERATORS AND BASIC MATERIAL, AND DEMARCATION OF REGIONS OF PROVENANCE	PROFESSIONAL OPERATORS AND BASIC MATERIAL, AND DEMARCATION OF REGIONS OF PROVENANCE	REGISTRATION AND AUTHORISATION OF PROFESSIONAL OPERATORS AND BASIC MATERIAL, AND DEMARCATION OF REGIONS OF PROVENANCE OFFICIAL SUPERVISION BY THE COMPETENT AUTHORITIES	
Article 10				
256	Article 10 Obligations for professional operators	Article 10 Obligations for professional operators	Article 10 Obligations for professional operators	
Article 10(1),				
257	1. Professional operators shall be registered in a register provided for in Article 65 of Regulation (EU) 2016/2031, in accordance with Article 66 of that Regulation.	1. Professional operators shall be registered in a register provided for in Article 65 of Regulation (EU) 2016/2031, in accordance with Article 66 of that Regulation.	1. Professional operators shall be registered in a register provided for in Article 65 of Regulation (EU) 2016/2031, in accordance with Article 66 of that Regulation.:	
Article 10(1), point (a)				
258	They shall be established in the Union.	They shall be established in the Union <u>Member State concerned and authorised by the competent authority.</u>	(a) They shall be established in the Union.;	
Article 10(1), point (b)				
258a			(b) be registered in a register in each Member State where they have activities related to the production and marketing of FRM, as provided for in Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			65 of Regulation (EU) 2016/2031, for the activities related to the production and marketing of FRM, in accordance with Article 66 of that Regulation;	
Article 10(1), point (c)				
258b			(c) be available personally or designate another person, to liaise with the competent authorities for facilitating the official controls.	
Article 10(1a)				
258c			1a. The professional operators shall inform the competent authorities about any changes regarding points (a), (b) and c) and the competent authorities shall update that register accordingly.	
Article 10(1b.)				
258d			1b. Professional operators shall ensure traceability and identification of FRM at all stages of production and marketing, including information on the suppliers and buyers, and information contained in the official label and the professional operator's document. The professional operator shall have a system that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			allows monitoring the information relevant for traceability and identification of FRM for the purpose of own checks and official controls.	
Article 10(1c.)				
258e			1c. The information referred to in paragraph 2 shall be stored forgery-proof for at least 10 years. That period shall begin at the end of the year in which the professional operator's document has been created. The information may be stored in digitally readable form. The Member States are allowed to regulate the content of the records and to require only digital records.	
Article 10(2)				
259	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.	2. Professional operators shall make available to the <u>competent authority and the</u> users of their FRM all the necessary <u>information about the identity of FRM as well as</u> information concerning its suitability for current and projected future climatic and ecological conditions <u>based on available knowledge and data</u> . That information shall, prior to the transfer of the FRM	2. The professional operators shall make <u>facilitate the access of users to the existing</u> available to the users of their FRM all necessary information <u>on FRM</u> concerning its suitability for current and projected future <u>specific</u> climatic and ecological conditions. That information shall, prior to the transfer of the FRM concerned, be provided to the potential	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		concerned , be, <u>in compliance with competent authority's guidelines</u> , provided to the potential purchaser through websites, planters' guides and other appropriate means <u>prior to the transfer of the FRM concerned</u> .	purchaser user through websites, planters' guides and other appropriate means. The professional operators may refer to websites managed by the competent authorities or public institutes if those are available.	
Article 10(3)				
259a			3. To the extent that this is necessary for the performance of official controls, professional operators shall, where required by the competent authorities, give staff of the competent authorities access to:	
Article 10(3), point (a)				
259b			(a) the equipment, premises and other places, including basic material, under their control;	
Article 10(3), point (b)				
259c			(b) their computerised information management systems;	
Article 10(3), point (c)				
259d			(c) the forest reproductive material under their control;	
Article 10(3), point (d)				
259e			(d) their documents and any other relevant information.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 10(4)				
259f			4. During official controls, professional operators shall assist and cooperate with the staff of the competent authorities in the accomplishment of their tasks.	
Article 10(2g)				
259g			5. The obligations of professional operators set out in paragraphs 4 and 5 shall also apply in cases where official controls are performed by delegated bodies and natural persons to which certain official control tasks or certain tasks related to have been delegated.	
Article 10a				
259h			Article 10a Authorisation of a professional operator under official supervision by the competent authority for production and marketing of FRM	
Article 10a(1), first subparagraph				
259i			Competent authorities may, upon application by a professional operator, authorise the professional operator to perform all or certain activities required for the production and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			marketing of FRM under official supervision of the competent authority and to issue an official label for that FRM.	
Article 10a(1), second subparagraph				
259j			In order to be granted such authorisation, and depending on the activities to be authorised for, the professional operator shall:	
Article 10a(1), second subparagraph, point (a)				
259k			(a) possess the necessary knowledge for complying with the requirements referred to in Article 5;	
Article 10a(1), second subparagraph, point (b)				
259l			(b) be qualified or employ qualified personnel, to carry out one or more of the following activities to ensure compliance with the requirements referred to in Article 5:	
Article 10a(1), second subparagraph, point (b)(i)				
259m			(i) inspections;	
Article 10a(1), second subparagraph, point (b)(ii)				
259n			(ii) sampling;	
Article 10a(1), second subparagraph, point (b)(iii)				
259o			(iii) testing.	
Article 10a(1), second subparagraph, point (c)				

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259p			(c) have identified, and have the capability to monitor the critical points of the production process which may influence the quality and identity of the FRM, and keep records of the results of that monitoring;	
Article 10a(1), second subparagraph, point (d)				
259q			(d) have in place systems to ensure the fulfilment of the requirements concerning lots pursuant to Article 15 and issuance of the official label pursuant to Article 16.	
Article 10a(2)				
259r			2. The Commission is empowered to adopt delegated acts in accordance with Article 26, supplementing paragraph 1 by setting out one or more of the following elements:	
Article 10a(2), point (a)				
259s			(a) the procedure for the application submitted by the professional operator;	
Article 10a(2), point (b)				
259t			(b) specific actions to be taken by the competent authority, in order to confirm the compliance with paragraph 1,	

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			points (a) to (d).	
Article 10b				
259u			Article 10b Withdrawal or modification of the authorisation of a professional operator	
Article 10b(1)				
259v			1. Where an authorised professional operator no longer fulfils the requirements set out in Articles 10(1)c, 10(2) and 10a(1), the competent authority shall request that the professional operator to take corrective actions within a specified period of time.	
Article 10b(2)				
259w			2. The competent authority shall without delay withdraw, or modify as appropriate, the authorisation, if the professional operator does not apply the corrective actions referred to in paragraph 1 within the specified period of time. In case it is concluded that the authorisation had been granted following fraud, the competent authority shall impose the appropriate penalties to the professional operator.	

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Article 10b(3)				
259x			3. When the professional operator no longer performs the activities it is authorised for, on a temporary or permanent basis, it shall request the temporary suspension or withdrawal of its authorisation according to the instructions of the competent authority. This provision does not apply to business closures.	
Article 10c				
259y			Article 10c Official supervision by the competent authorities	
Article 10c(1)				
259z			1. For the purposes of the activities under official supervision, the competent authorities, shall conduct regular checks to ensure that the professional operator fulfils the requirements referred to in Article 10a(1).	
Article 10c(2), first subparagraph				
259aa			2. The checks referred to in paragraph 1 shall consist, as necessary, of official inspections, sampling and testing of the FRM in order to confirm compliance of that material with the	

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			requirements referred to in Article 5.	
Article 10c(2), second subparagraph				
259ab			The frequency of those checks shall be determined on the basis of the assessment of the potential risk of non-compliance of the FRM with those requirements.	
Article 10c(3)				
259ac			3. Those checks may include the introduction of reference systems for the genetic verification of identity of FRM, such as biochemical and molecular techniques (BMT).	
Chapter III				
259ad			Chapter IIIa REGISTRATION OF BASIC MATERIAL AND DEMARICATION OF REGIONS OF PROVENANCE	
Article 11				
260	Article 11 Demarcation of regions of provenance for certain categories	Article 11 Demarcation of regions of provenance for certain categories	Article 11 Demarcation of regions of provenance for certain categories	
Article 11, first paragraph				
261	Member States shall, for the relevant species of basic material intended for the production of	Member States shall, for the relevant species of basic material intended for the production of	Member States shall, for the relevant species of basic material intended for the production of	

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	FRM of the ‘source-identified’ and ‘selected’ categories, demarcate the regions of provenance.	FRM of the ‘source-identified’ and ‘selected’ categories, demarcate the regions of provenance.	FRM of the ‘source-identified’ and ‘selected’ categories, demarcate the regions of provenance.	
Article 11, second paragraph				
262	The competent authorities shall draw up and publish on their website maps showing the demarcations of the regions of provenance. They shall make those maps available to the Commission and other Member States through FOREMATIS.	The competent authorities shall draw up and publish on their website maps showing the demarcations of the regions of provenance. They shall make those maps available to the Commission and other Member States through FOREMATIS.	The competent authorities shall draw up and publish on their website maps showing the demarcations of the regions of provenance. They shall make those maps available to the Commission and other Member States through FOREMATIS.	
Article 12				
263	Article 12 National register and national lists of basic material	Article 12 National register and national lists of basic material	Article 12 National register and national lists of basic material	
Article 12(1), first subparagraph				
264	1. Each Member State shall establish, publish and keep updated, in electronic format, a national register of the basic material of the various species approved on its territory pursuant to Articles 4 and 19 and notified pursuant to Article 18.	1. Each Member State shall establish, publish and keep updated, in electronic format, a national register of the basic material of the various species approved on its territory pursuant to Articles 4 and 19 and notified pursuant to Article 18.	1. Each Member State shall establish, publish and keep updated, in electronic format, a national register of the basic material of the various species approved on its territory pursuant to Articles 4 and 19 and notified pursuant to Article 18..	
Article 12(1), second subparagraph				
265	That register shall contain full details of each unit of approved basic material, together with its	That register shall contain full details of each unit of approved basic material, together with its	That register shall contain full details of each unit of approved basic material, together with its	

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	unique register reference.	unique register reference.	unique register reference.	
Article 12(1a)				
266	By way of derogation from Article 4, the competent authorities shall immediately register in their national registers the basic material included, before ... [OJ, please, insert the date of the of this Regulation], in their respective national registers referred to in Article 10(1) of Directive 1999/105/EC, without applying the registration procedure set out in that Article.	By way of derogation from Article 4, the competent authorities shall immediately register in their national registers the basic material included, before ... [OJ, please, insert the date of the of this Regulation], in their respective national registers referred to in Article 10(1) of Directive 1999/105/EC, without applying the registration procedure set out in that Article.	1a By way of derogation from Article 4, the competent authorities shall immediately register in their national registers referred to in paragraph 1 , the basic material included, before ... [OJ, please, insert the date of the of this Regulation OJ, please, insert the application date of this Regulation], in their respective national registers referred to in Article 10(1) of Directive 1999/105/EC, without applying the registration procedure set out in that Article.	
Article 12(2)				
267	2. Each Member State shall establish, publish and keep updated a national list of basic material, which shall be presented as a summary of the national register. It shall make that list available in electronic format to the Commission and the other Member States through FOREMATIS.	2. Each Member State shall establish, publish and keep updated a national list of basic material, which shall be presented as a summary of the national register. It shall make that list available in electronic format to the Commission and the other Member States through FOREMATIS.	2. Each Member State shall establish, publish and keep updated a national list of basic material, which shall be presented as a summary of the national register. It shall make that list available in electronic format to the Commission and the other Member States through and in accordance with the format of FOREMATIS.	
Article 12(3), first subparagraph				
268	3. Member States shall present the national list in a	3. Member States shall present the national list in a	3. Member States shall present the national list in a	

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	common form for each unit of approval of basic material. For the categories ‘source-identified’ and ‘selected’, it may contain only a summary description of the basic material, on the basis of regions of provenance.	common form for each unit of approval of basic material. For the categories ‘source-identified’ and ‘selected’, it may contain only a summary description of the basic material, on the basis of regions of provenance.	common form for each unit of approval of basic material. For the categories ‘source-identified’ and ‘selected’, it may contain only a summary description of the basic material, on the basis of regions of provenance.	
Article 12(3), second subparagraph				
269	The national list shall provide in particular the following details:	The national list shall provide in particular the following details:	The national list shall provide in particular the following details:	
Article 12(3), second subparagraph, point (a)				
270	(a) botanical name;	(a) botanical name;	(a) botanical name scientific name of the genus and species and, if so decided by the competent authority, common name in an official Union language;	
Article 12(3), second subparagraph, point (b)				
271	(b) category;	(b) category;	(b) category of FRM;	
Article 12(3), second subparagraph, point (c)				
272	(c) basic material;	(c) <u>type of</u> basic material;	(c) type of basic material, as referred to in the table of Annex VI;	
Article 12(3), second subparagraph, point (d)				
273	(d) register reference or, where appropriate, summary thereof, or identity code for region of provenance;	(d) register reference or, where appropriate, summary thereof, or identity code for region of provenance;	(d) register reference or, where appropriate, summary thereof, or identity code for region of provenance;	
Article 12(3), second subparagraph, point (da), first subparagraph				

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274	(e) location of basic material: a short name, if appropriate, and one of the following sets of particulars:	(e) location of basic material: a short name, if appropriate, and one of the following sets of particulars:	(e) location of basic material: a short name, if appropriate, and one of the following sets of particulars:	
Article 12(3), second subparagraph, point (da), first subparagraph, point (i)				
275	(i) for the ‘source-identified’ category, region of provenance and the latitudinal, longitudinal and altitudinal range;	(i) for the ‘source-identified’ category, region of provenance and the latitudinal, longitudinal and altitudinal range;	(i) for the ‘source-identified’ category, region of provenance and the exact geographical position(s) defined by latitude, longitude, and altitude or the latitudinal, longitudinal and altitudinal range;	
Article 12(3), second subparagraph, point (da), first subparagraph, point (ii)				
276	(ii) for the ‘selected’ category, region of provenance and the geographical position defined by latitude, longitude and altitude or the latitudinal, longitudinal and altitudinal range;	(ii) for the ‘selected’ category, region of provenance and the geographical position defined by latitude, longitude and altitude or the latitudinal, longitudinal and altitudinal range;	(ii) for the ‘selected’ category, region of provenance and the geographical position defined by latitude, longitude and altitude or the latitudinal, longitudinal and altitudinal range;	
Article 12(3), second subparagraph, point (da), first subparagraph, point (iii)				
277	(iii) for the ‘qualified’ category, the exact geographical position(s) defined by latitude, longitude and altitude, where the basic material is maintained;	(iii) for the ‘qualified’ category, the exact geographical position(s) defined by latitude, longitude and altitude, where the basic material is maintained;	(iii) for the ‘qualified’ category, the exact geographical position(s) defined by latitude, longitude and altitude or the latitudinal, longitudinal and altitudinal range , where the basic material is maintained;	
Article 12(3), second subparagraph, point (da), first subparagraph, point (iv)				
278	(iv) for the ‘tested’ category, the exact geographical position(s) defined by latitude, and longitude	(iv) for the ‘tested’ category, the exact geographical position(s) defined by latitude, and longitude	(iv) for the ‘tested’ category, the exact geographical position(s) defined by latitude, and longitude	

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	and altitude, where the basic material is maintained;	and altitude, where the basic material is maintained;	and altitude or the latitudinal, longitudinal and altitudinal range , where the basic material is maintained;	
Article 12(3), second subparagraph, point (da), second subparagraph				
278a			In points (i) to (iv) a uniform coordinate system as defined in the Forest Reproductive Material Information System of the Commission (FOREMATIS) shall apply;	
Article 12(3), second subparagraph, point (f)				
279	(f) area: the size of a seed source(s), stand(s) or seed orchard(s);	(f) area: the size of a seed source(s), stand(s) or seed orchard(s);	(f) area the size of a seed source(s), stand(s) or seed orchard(s), indicated in hectares or number of trees;	
Article 12(3), second subparagraph, point (g)				
280	(g) origin:	(g) origin:	(g) origin:	
Article 12(3), second subparagraph, point (g)(i)				
281	(i) indication whether the basic material is autochthonous/indigenous, non-autochthonous/non-indigenous or if the origin is unknown;	(i) indication whether the basic material is autochthonous/indigenous, non-autochthonous/non-indigenous or if the origin is unknown;	(i) indication whether the basic material is autochthonous/indigenous, non-autochthonous/non-indigenous, /non-indigenous or if the origin is unknown and, in the case it is indigenous, whether it is autochthonous or not;	
Article 12(3), second subparagraph, point (g)(ii)				

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282	(ii) non-autochthonous/ non-indigenous basic material, an indication of the origin, if it is known;	(ii) non-autochthonous/ non-indigenous basic material, an indication of the origin, if it is known;	(ii) non-autochthonous/ non-indigenous basic material, an indication of information about the origin, if it is known;	
Article 12(3), second subparagraph, point (g)(iii)				
282a			(iii) in the case of seed orchards, provenances or other relevant geographic information where its components were originally located shall be stated if known. For seed orchards representing a more advanced stage of breeding, information from breeding records may substitute the information about origin and region(s) of provenance;	
Article 12(3), second subparagraph, point (h)				
283	(h) purpose of use of FRM;	(h) purpose of use of FRM;	(h) purpose one or more purposes of use of FRM as referred to in Article 3 point (1);	
Article 12(3), second subparagraph, point (ha)				
283a			(ha) (other information relevant for the characterisation of the basic material;	
Article 12(3), second subparagraph, point (i)				
284	(i) in the case of FRM of the 'tested' category, an indication whether it is:	(i) in the case of FRM of the 'tested' category, an indication whether it is:	(i) in the case of FRM of the 'tested' category, an indication whether it is :	
Article 12(3), second subparagraph, point (ia)				

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284a				
Article 12(3), second subparagraph, point (i)(i)				
285	(i) genetically modified; or	(i) genetically modified; or	(i) it is authorised for cultivation as a genetically modified or organism, for cultivation in the respective Member State pursuant to Article 19 of Directive 2001/18/EC or Articles 7 and 19 of Regulation (EC) 1829/2003, or, where applicable, in the respective Member State in accordance with Article 26b of Directive 2001/18/EC	
Article 12(3), second subparagraph, point (i)(ii)				
286	(ii) an NGT plant;	(ii) an NGT plant;	(ii) it contains or consists of a category 1 NGT plant; as defined in Article 3(7) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...);	
Article 12(3), second subparagraph, point (i)(iii)				
286a			(iii) it contains or consists of a category 2 NGT plant as defined in Article 3(8) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation...);	
Article 12(3), second subparagraph, point (j)				
287	(j) in the case of qualified and	(j) in the case of qualified and	(j) in the case of qualified and	

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	tested categories, information about the place of production of clone(s) or clonal mixture(s), where appropriate.	tested categories, information about the place of <u>harvest area used for the</u> production of clone(s) or clonal mixture(s), where appropriate.	tested categories, information about the place of production of offsprings of parents of families , clone(s) or clonal mixture(s) , which means the place or exact geographical position , where appropriate the FRM was produced;	
Article 12(3), second subparagraph, point (ja)				
287a		<u>(ja) any additional information if available;</u>		
Article 12(3), second subparagraph, point (k)				
287b			(k) where a database of the competent authority is freely accessible, a link to that data base including the master certificates and codes corresponding to the respective units of approval and/or a link to the database referred to in Article 14(13).	
Article 12(3), second subparagraph, point (jb)				
287c		<u>(jb) if applicable, the intellectual property rights existing on the FRM.</u>		
Article 13				
288	Article 13 Union List of Approved Basic Material	Article 13 Union List of Approved Basic Material	Article 13 Union List of Approved Basic Material	
Article 13(1), first subparagraph				

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289	1. On the basis of the national lists provided by each Member State in accordance with Article 12, the Commission shall publish a list entitled ‘Union List of Approved Basic Material for the Production of Forest Reproductive Material’.	1. On the basis of the national lists provided by each Member State in accordance with Article 12, the Commission shall publish a list entitled ‘Union List of Approved Basic Material for the Production of Forest Reproductive Material’.	1. On the basis of the national lists provided by each Member State in accordance with Article 12, the Commission shall publish a list entitled ‘Union List of Approved Basic Material for the Production of Forest Reproductive Material’.	
Article 13(1), second subparagraph				
290	That list shall be made available in electronic format through FOREMATIS.	That list shall be made available in electronic format through FOREMATIS.	That list shall be made available in electronic format through FOREMATIS.	
Article 13(2)				
291	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) and show the area of utilisation.	2. That list shall reflect the details given in the national lists referred to in Article 12(1) and show the area of utilisation.	
Article 13a				
291a		<u>Article 13a</u> <u>Production from basic material</u>		
Article 13a(1)				
291b		<u>1. Traceability shall be ensured from the collection of FRM up to the marketing to the end user.</u>		
Article 13a(2)				
291c		<u>2. Professional operators shall notify the competent authority of their intention to</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>harvest forest reproductive material prior to harvesting in order to allow the competent authority to organise controls.</u>		
Article 13a(3)				
291d		<u>3. Professional operators shall submit to the competent authority records documenting the harvest of the FRM.</u>		
Article 13a(4)				
291e		<u>4. Removal from the place of harvest is only permitted with a master certificate.</u>		
Article 13a(5)				
291f		<u>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.</u>		
CHAPTER IV				
292	CHAPTER IV MASTER CERTIFICATE, LABELLING AND PACKAGING	CHAPTER IV MASTER CERTIFICATE, LABELLING AND PACKAGING	CHAPTER IV MASTER CERTIFICATE, LABELLING AND PACKAGING	
Article 13a				
292a			Article 13a Harvest and collection from	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			basic material	
Article 13a(1)				
292b			1. The professional operator shall notify the competent authority of its intention to harvest FRM, within a reasonable period prior to harvesting, in order to allow the competent authority to organise controls.	
Article 13a(2)				
292c			2. In the case where FRM from the tree species listed in Annex I and their hybrids is harvested with the intention not to be marketed as FRM within the Union, the professional operator referred to in Article 3(31) shall indicate this in the notification.	
Article 13a(3)				
292d			3. During the collection and processing of FRM before marketing or direct use, the harvested FRM shall bear a provisional label issued by the professional operator, containing the unique reference to the basic material, the collection date, the name of the professional operator, and the harvested	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			quantity. That label shall be replaced by the official label, referred to in Article 16, once the respective requirements are fulfilled.	
Article 13a(4)				
292e			4. The competent authority may define the technical conditions to be considered during harvesting and collection.	
Article 13a(5)				
292f			5. The harvesting of FRM shall not compromise the regeneration of approved basic material for the purpose of conservation of forest genetic resources.	
Article 13a(6)				
292g			6. The professional operator responsible for FRM harvesting, extraction, cleaning and packaging shall ensure that the seed units lots and parts of plants lots are sufficiently homogenous prior to marketing or use in accordance with the applicable international standards.	
Article 13a(7)				
292h			7. Professional operators	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			shall maintain for a period of at least 10 years and upon request, supply the competent authority with records which shall contain details of all consignments that have been detained and marketed.	
Article 13a				
292i				
Article 13a(1)				
292j				
Article 13a				
292k				
Article 14				
293	Article 14 Master certificate of identity	Article 14 Master certificate of identity	Article 14 Master certificate of identity	
Article 14(1), first subparagraph				
294	1. The competent authorities shall issue, upon application of a professional operator, after harvesting the FRM from approved basic material, a master certificate of identity ('master certificate'), showing the unique register reference of basic material, for all FRM that has been harvested.	1. The competent authorities shall issue, upon application of a professional operator, after harvesting the FRM from approved basic material, a master certificate of identity ('master certificate'), showing the unique register reference of basic material, for all FRM that has been harvested.	1. The competent authorities shall issue, upon application of a professional operator, after harvesting the FRM from approved basic material, a The master certificate of identity ('master certificate'), showing the unique register reference of basic material, for all FRM that has been harvested. shall attest that the FRM:	
Article 14(1), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
295	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) <u>that the FRM is derived from approved basic material.</u>	The master certificate shall attest compliance with the requirements of Article 4(2).	
Article 14(1), third subparagraph				
296	The Commission shall, by means of an implementing act, adopt the content and the model for the master certificate of identity for FRM:	The Commission shall, by means of an implementing act, adopt the content and the model for the master certificate of identity for FRM:	The Commission shall, by means of an implementing act, adopt the content and the model for the master certificate of identity for FRM:	
Article 14(1), third subparagraph, point (a)				
297	(a) Model master certificate for FRM that is derived from seed sources and stands;	(a) Model master certificate for FRM that is derived from seed sources and stands;	(a) Model master certificate for FRM that is derived from seed sources and stands derives from a single unit of approved basic material in accordance with the requirements of Article 4(2);	
Article 14(1), third subparagraph, point (b)				
298	(b) Model master certificate for FRM that is derived from seed orchards or parents of family(ies); and	(b) Model master certificate for FRM that is derived from seed orchards or parents of family(ies); and	(b) Model master certificate for FRM that is derived from seed orchards or parents of family(ies) derives from a mixture of seed lots according to Article 15(3); and	
Article 14(1), third subparagraph, point (c)				
299	(c) Model master certificate for FRM that is derived from clones and clonal mixtures.	(c) Model master certificate for FRM that is derived from clones and clonal mixtures.	(c) Model master is imported and its official certificate for FRM that is derived from clones and clonal mixtures. is replaced in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			accordance with Article 25(3), point (a);	
Article 14(1), third subparagraph, point (ca)				
299a		<u>(ca) Model master certificate for FRM that is derived from a mixture.</u>		
Article 14(1), third subparagraph, point (d)				
299b			(d) derives from a subsequent vegetative propagation according to Article 15(2).	
Article 14(1), fourth subparagraph				
300	That implementing act shall be adopted in accordance with the examination procedure referred to in Article 27(2).	That implementing act shall be adopted in accordance with the examination procedure referred to in Article 27(2).	That implementing act The competent authorities shall be adopted in accordance with the examination procedure referred to in Article 27(2) issue the master certificate, bearing a unique code upon application of a professional operator, as soon as possible, after harvesting or extraction of the seeds depending on the circumstances and on the nature of the material, or after importing the FRM, showing the unique register reference of basic material, for the FRM.	
Article 14(1a)				
300a			1a. The Commission shall, by means of an implementing act,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			adopt the content and the model for the master certificate of identity for FRM, and in particular for all of the following:	
Article 14(1a)(a)				
300b			(a) Model master certificate for FRM that is derived from seed sources and stands;	
Article 14(1a)(b)				
300c			(b) Model master certificate for FRM that is derived from seed orchards or parents of family(ies);	
Article 14(1a)(c)				
300d			(c) Model master certificate for FRM that is derived from clones and clonal mixtures.	
Article 14(1a), second subparagraph				
300e			That implementing act shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 14(2)				
301	2. Where in accordance with Article 15(2) a Member State adopts measures as regards subsequent vegetative propagation, a new master certificate shall be	2. Where in accordance with Article 15(2) a Member State adopts measures as regards subsequent vegetative propagation, a new master certificate shall be	2. Where in accordance with Article 15(2) a Member State adopts measures as regards subsequent vegetative propagation, a new master certificate shall be	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	issued.	issued.	issued.	
Article 14(3)				
302	3. Where mixing takes place in accordance with Article 15(3), Member States shall ensure that the register references of the components of the mixtures are identifiable, and a new master certificate or other document identifying the mixture shall be issued.	3. Where mixing takes place in accordance with Article 15(3), Member States shall ensure that the register references of the components of the mixtures are identifiable, and a new master certificate or other document identifying the mixture shall be issued.	3. Where mixing takes place in accordance with Article 15(3), Member States shall ensure that the register references of the components of the mixtures are identifiable, and a new master certificate or other document identifying the mixture persuant to paragraph 1 shall be issued. The professional operator shall notify the competent authority of its intention to carry out that mixing, within a reasonable period prior to that operation. The competent authority may decide to supervise the mixing process.	
Article 14(4)				
303	4. Where a lot referred to in Article 15(1) is subdivided into smaller lots that are not processed uniformly and subjected to subsequent vegetative propagation, a new master certificate shall be issued and a reference shall be made to the previous master certificate number.	4. Where a lot referred to in Article 15(1) is subdivided into smaller lots that are not processed uniformly and subjected to subsequent vegetative propagation, a new master certificate shall be issued and a reference shall be made to the previous master certificate number.	4. Where a lot referred to in Article 15(1) is subdivided into smaller lots that are not processed uniformly and subjected to subsequent vegetative propagation, a new master certificate shall be issued and a reference shall be made to the previous master certificate number code .	
Article 14(4a)				
303a		<u>4a.</u> <i>In the case of a mixture,</i>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>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.</i></u>		
Article 14(4a)				
303b			4a. Professional operators may request the competent authorities to issue a master certificate, pursuant to paragraph 1, to replace a master certificate issued pursuant to Directive 1999/105/EC.	
Article 14(5), first subparagraph				
304	5. A master certificate may also be issued in an electronic form ('electronic master certificate').	5. A master certificate may also be issued in an electronic form ('electronic master certificate').	5. A master certificate may also be issued in an electronic form ('electronic master certificate').	
Article 14(5), second subparagraph				
305	The Commission may, by means of implementing acts, set out technical arrangements for the issuance of electronic master certificates, for ensuring their compliance with this Article and an appropriate, credible and effective mode for the issuance of electronic master certificates. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article	The Commission may, by means of implementing acts, set out technical arrangements for the issuance of electronic master certificates, for ensuring their compliance with this Article and an appropriate, credible and effective mode for the issuance of electronic master certificates. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article	The Commission may, by means of implementing acts, set out technical arrangements for the issuance of electronic master certificates, for ensuring their compliance with this Article and an appropriate, credible and effective mode for the issuance of electronic master certificates. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	27(2).	27(2).	27(2).	
Article 14(6)				
306	6. The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out rules on:	6. The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out rules on:	6. The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out rules on:	
Article 14(6), point (a)				
307	(a) digital recording of all actions taken by the professional operator and the competent authorities, in order to issue the master certificate; and	(a) digital recording of all actions taken by the professional operator and the competent authorities, in order to issue the master certificate; and	(a) digital recording of all actions taken by the professional operator and the competent authorities, in order to issue the master certificate; certificates and	
Article 14(6), point (b)				
308	(b) establishment of a centralised platform that connects all the Member States and the Commission, to facilitate the processing of, access to and use of those records.	(b) establishment of a centralised platform that connects all the Member States and the Commission, to facilitate the processing of, access to and use of those records.	(b) the establishment of a centralised platform that connects all the Member States and the Commission, to facilitate the processing of, access to and use of those master certificates records.	
Article 14(6a)				
308a		<u>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.</u>		
Article 14(6a), first subparagraph				
308b			6a. The Commission may, by	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			means of implementing acts, lay down rules concerning:	
Article 14(6), point (a)				
308c			(a) the mechanisms and technical arrangements to ensure the issuance of accurate and reliable master certificates, and prevent risk of fraud;	
Article 14(6b), point (b)				
308d			(b) the procedures to be followed in the case of withdrawals of master certificates and for the issuance of replacement certificates;	
Article 14(6b), point (c)				
308e			(c) rules for the production of certified copies of master certificates;	
Article 14(6b), point (d)				
308f			(d) rules for the issuance of electronic certificates and for the use of electronic signatures.	
Article 14(6b), second subparagraph				
308g			Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 15				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
309	Article 15 Lots	Article 15 Lots	Article 15 Lots	
Article 15(1), first subparagraph				
310	1. 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.	1. FRM shall, during all stages of production, be kept separated by reference to individual units of approval of basic material <u>and the master certificate, when issued,</u> 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.	1. FRM shall, during all stages of production and marketing, be kept separated in lots, 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.	
Article 15(1), second subparagraph				
311	Each lot of FRM shall be identified by the following:	Each lot of FRM shall be identified by the following:	Each lot of FRM shall be identified by the following:	
Article 15(1), second subparagraph, point (a)				
312	(a) lot number;	(a) lot number <u>code</u> ;	(a) lot number <u>code (at the time of harvest, the master certificate reference may be the lot code)</u> ;	
Article 15(1), second subparagraph, point (aa)				
312a		<u>(aa) purpose;</u>		
Article 15(1), second subparagraph, point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
313	(b) master certificate code and number;	(b) master certificate code and number;	(b) master certificate code and number, upon issuance of the master certificate;	
Article 15(1), second subparagraph, point (c)				
314	(c) botanical name;	(c) botanical name;	(c) botanical name scientific name of the genus and species and, if so decided by the competent authority, common name in an official Union language;	
Article 15(1), second subparagraph, point (d)				
315	(d) category of FRM;	(d) category of FRM;	(d) category of FRM;	
Article 15(1), second subparagraph, point (da)				
315a			(da) purpose of FRM use;	
Article 15(1), second subparagraph, point (e)				
316	(e) basic material;	(e) <u>type of</u> basic material;	(e) basic material;	
Article 15(1), second subparagraph, point (f)				
317	(f) register reference or identity code for region of provenance;	(f) register reference or identity code for region of provenance;	(f) register reference or identity code for region of provenance;	
Article 15(1), second subparagraph, point (g)				
318	(g) region of provenance for FRM of the ‘source-identified’ and ‘selected’ categories or other FRM if appropriate;	(g) region of provenance for FRM of the ‘source-identified’ and ‘selected’ categories or other FRM if appropriate;	(g) region of provenance for FRM of the ‘source-identified’ and ‘selected’ categories or other FRM if appropriate;	
Article 15(1), second subparagraph, point (h)				
319	(h) if appropriate, whether the	(h) if appropriate, whether the	(h) origin , if appropriate,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	origin of the basic material is autochthonous or indigenous, non-autochthonous or non-indigenous, or unknown;	origin of the basic material is autochthonous or indigenous, non-autochthonous or non-indigenous, or unknown;	whether the origin of the basic material is indigenous non-indigenous or unknown and, in the case it is indigenous, whether it is autochthonous or indigenous, non-autochthonous or non-indigenous, or unknown not;	
Article 15(1), second subparagraph, point (i)				
320	(i) in the case of seed units, the year of ripening;	(i) in the case of seed units, the year of ripening, <u>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</u> ;	(i) in the case of seed units, the year of ripening;	
Article 15(1), second subparagraph, point (j)				
321	(j) age and type of planting stock of seedlings or cuttings, whether undercuts, transplants or containerised;	(j) age and type of planting stock of seedlings or cuttings, whether undercuts, transplants or containerised;	(j) age and type of planting stock of seedlings or cuttings, whether undercuts, transplants or containerised;	
Article 15(1), second subparagraph, point (k)				
322	(k) for the ‘tested’ category whether it is:	(k) for the ‘tested’ category whether it is:	(k) for the ‘tested’ category whether it is :	
Article 15(1), second subparagraph, point (k)(i)				
323	(i) genetically modified;	(i) genetically modified;	(i) it is authorised for cultivation as a genetically modified organism, for cultivation in the respective Member State pursuant to Article 19 of Directive	

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			2001/18/EC or Articles 7 and 19 of Regulation (EC) 1829/2003, or, where applicable, in the respective Member State in accordance with Article 26b of Directive 2001/18/EC;	
Article 15(1), second subparagraph, point (k)(ii)				
324	(ii) an NGT plant.	(ii) an NGT plant.	(ii) an it contains or consists of a category 1 NGT plant as defined in Article 3(7) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...);	
Article 15(1), second subparagraph, point (k)(iia)				
324a			(iia) it contains or consists of a category 2 NGT plant as defined in Article 3(8) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation).	
Article 15(1), second subparagraph, point (ka)				
324b		<u>(ka) if applicable, the intellectual property rights existing on the FRM.</u>		
Article 15(2)				
325	2. Without prejudice to paragraph 1 of this Article and to Article 5(1), point (c), Member States shall keep separately FRM, which is subject to subsequent	2. Without prejudice to paragraph 1 of this Article and to Article 5(1), point (c), Member States shall keep separately FRM, which is subject to subsequent	2. Without prejudice to paragraph 1 of this Article and to Article 5(1), point (c), Member States, professional operators shall keep separately FRM, which	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	vegetative propagation and shall identify it as such. Such FRM shall have been harvested from a single unit of approval in the ‘selected’, ‘qualified’ and ‘tested’ categories. In such cases, the produced FRM shall assume the same category as the original FRM.	vegetative propagation and shall identify it as such. Such FRM shall have been harvested from a single unit of approval in the ‘selected’, ‘qualified’ and ‘tested’ categories. In such cases, the produced FRM shall assume the same category as the original FRM.	is subject to subsequent vegetative propagation and shall identify it as such. Such FRM shall have been harvested from a single unit of approval in the ‘selected’, ‘qualified’ and ‘tested’ categories. In such cases, the produced FRM shall assume the same category as the original FRM.	
Article 15(3), first subparagraph				
326	3. Without prejudice to paragraph 1, the mixing of FRM shall be subject to the following conditions, as appropriate:	3. Without prejudice to paragraph 1, the mixing of FRM shall be subject to the following conditions, as appropriate:	3. Without prejudice to paragraph 1, the mixing lots of seeds or parts of plants of FRM shall be subject to all of the following conditions, as appropriate applicable :	
Article 15(3), first subparagraph, point (a)				
327	(a) within the ‘source-identified’ or ‘selected’ categories, mixing shall apply to FRM derived from two or more units of approval within a single region of provenance;	(a) within the ‘source-identified’ or ‘selected’ categories, mixing shall apply to FRM derived from two or more units of approval within a single region of provenance;	(a) within the ‘source-identified’ or ‘selected’ categories, mixing shall apply to FRM seed lots derived from two or more units of approval within a single region of provenance;	
Article 15(3), first subparagraph, point (aa)				
327a			(aa) it shall only take place within the same species, region of provenance and category;	
Article 15(3), first subparagraph, point (b)				
328	(b) in the case of mixing of FRM within a single region of	(b) in the case of mixing of FRM within a single region of	(b) in the case of mixing of FRM seed lots within a single	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	provenance, from seed sources and stands in the ‘source-identified category, the new combined lot shall be certified as ‘FRM derived from a seed source’;	provenance, from seed sources and stands in the ‘source-identified category, the new combined lot shall be certified as ‘FRM derived from a seed source’;	region of provenance, from seed sources and stands in the ‘source-identified category, the new combined lot shall be certified as ‘ FRM seed lots derived from a seed source’;	
Article 15(3), first subparagraph, point (c)				
329	(c) in the case of mixing of FRM derived from non-autochthonous or non-indigenous basic material with that from basic material of unknown origin, the new combined lot shall be certified as being ‘of unknown origin’;	(c) in the case of mixing of FRM derived from non-autochthonous or non-indigenous basic material with that from basic material of unknown origin, the new combined lot shall be certified as being ‘of unknown origin’;	(c) in the case of mixing of FRM seed lots derived from non-autochthonous or non-indigenous basic material with that from basic material of unknown origin, the new combined lot shall be certified as being ‘of unknown origin’;	
Article 15(3), first subparagraph, point (d)				
330	(d) in the case of mixing of FRM derived from a single unit of approval from different years of ripening, the actual years of ripening and proportion of FRM from each year shall be recorded.	(d) in the case of mixing of FRM derived from a single unit of approval from different years of ripening, the actual years of ripening and proportion of FRM from each year shall be recorded.	(d) (a) in the case of mixing lots of seeds or parts of plants of FRM derived from a single unit of approval from one or different years of ripening, the actual years of ripening and proportion of FRMseed or parts of plants from each year shall be recorded.	
Article 15(3), second subparagraph				
331	In the case of mixing in accordance with the first subparagraph, points (a), (b) or (c), the identity code for the region of provenance may be substituted for the register reference as in paragraph 1, point (f).	In the case of mixing in accordance with the first subparagraph, points (a), (b) or (c), the identity code for the region of provenance may be substituted for the register reference as in paragraph 1, point (f).	In the case of mixing in accordance with the first subparagraph, points (a), (b) or (c), the identity code for the region of provenance may be substituted for the register reference as in paragraph 1, point (f). The resulting lot shall be	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			mixed in such a way that it is homogeneous.	
Article 16				
332	Article 16 Official label	Article 16 Official label	Article 16 Official label and professional operator's document	
Article 16(-1), first subparagraph				
333	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 <u>competent authority or by the professional operator under official supervision of a</u> 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 for every and printed for each lot of FRM attesting compliance of that FRM with the requirements referred to in Article 5 for marketing with reference to a master certificate code and lot code by	
Article 16(1a)				
333a		<u>1a. The official label shall be printed by:</u>		
Article 16(1a), point (a)				
333b		<u>(a) the competent authority, if so requested by the professional operator; or</u>		
Article 16(1a), point (b)				
333c		<u>(b) the professional operator, under the official supervision of the competent authority.</u>		
Article 16(-1), first subparagraph, point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
333d			(a) the authorised professional operator or a person contracted by that professional operator under the official supervision of the competent authority;	
Article 16(-1), first subparagraph, point (b)				
333e			(b) the competent authority	
Article 16(-1), second subparagraph				
333f			This official label shall attest compliance with the requirements of Articles, 5, 8 as applicable, and 15.	
Article 16(-1), third subparagraph				
333g			An official label does not need to be issued and printed in the case of a lot of FRM held and offered for the purpose of sale. However, in that case a reference to the master certificate code and lot code shall be ensured.	
Article 16(-1a)				
333h			1a. That label shall ensure unique identification and traceability of the lot by accompanying that lot during all stages of marketing as referred to in paragraph 1.	
Article 16(1b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
333i			1b. In case of delivery of lots of FRM to another user, the professional operator, in addition to the official label, shall issue and print a professional operator's document for each delivered lot which may be combined with a delivery note or an invoice.	
Article 16(2)				
334	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. 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 <u>issue and/or print that the official</u> label, if, on the basis of an audit, the competent authority has concluded that the operator possesses <u>the sufficient competence,</u> infrastructure and resources to print the official label.	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.	
Article 16(3), first subparagraph				
335	3. The competent authority shall carry out regular controls to check whether the professional operator complies with the requirements referred to in paragraph 2.	3. The competent authority shall carry out regular controls to check whether the professional operator complies with the requirements referred to in paragraph 2.	3. The competent authority shall carry out regular controls to check whether the professional operator complies with the requirements referred to in paragraph 2.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 16(3), second subparagraph				
336	Where, after having granted the authorisation referred to in paragraph 2, the competent authority finds that a professional operator does not fulfil the requirements referred to in that paragraph, it shall without delay withdraw, or modify as appropriate, the authorisation.	Where, after having granted the authorisation referred to in paragraph 2, the competent authority finds that a professional operator does not fulfil the requirements referred to in that paragraph, it shall without delay withdraw, or modify as appropriate, the authorisation.	Where, after having granted the authorisation referred to in paragraph 2, the competent authority finds that a professional operator does not fulfil the requirements referred to in that paragraph, it shall without delay withdraw, or modify as appropriate, the authorisation.	
Article 16(3a), first subparagraph				
337	4. In addition to the information required under Article 15(1), the official label shall contain all the following information:	4. In addition to the information required under Article 15(1), the official label <u>or another document from the supplier with the information required under that Article</u> shall contain all the following information:	4. In addition to the information required under Article 15(1), The official label shall contain all the following information: elements listed in points (a), (b), (c), (d), (da), (f) and (k) of Article 15(1), as well as:	
Article 16(3a), first subparagraph, point (a)				
338	(a) master certificate number(s) issued in accordance with Article 14 or a reference to the other document identifying the mixture available in accordance with Article 14(3);	(a) master certificate number(s) issued in accordance with Article 14 or a reference to the other document identifying the mixture available in accordance with Article 14(3);	(a) master certificate number(s) issued in accordance with Article 14 or a reference to the other document identifying the mixture available in accordance with Article 14(3);	
Article 16(3a), first subparagraph, point (b)				
339	(b) name of the professional operator;	(b) name <u>names</u> of the <u>supplying</u> professional operator <u>operators, including their address and registration number,</u>	(b) name <u>the registration code</u> of the supplying professional operator issuing the official label or to whom the official label has	

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		<u>and names of the recipients including their address;</u>	been issued by the competent authority;	
Article 16(3a), first subparagraph, point (c)				
340	(c) quantity supplied;	(c) quantity supplied;	(c) quantity supplied;	
Article 16(4), first subparagraph, point (d)				
341	(d) in the case of FRM of the 'tested' category, whose basic material is approved under Article 4, the words 'provisionally approved';	(d) in the case of FRM of the 'tested' category, whose basic material is approved under Article 4, the words 'provisionally approved';	(d) in the case of FRM of the 'tested' category, whose basic material is approved under Article 4, the words 'provisionally approved';	
Article 16(4), first subparagraph, point (e)				
342	(e) whether the FRM has been vegetatively propagated.	(e) whether the FRM has been vegetatively propagated.	(e) whether the FRM has been vegetatively propagated.	
Article 16(4), point (ea)				
342a		<u>(ea) a QR code with instructions on how to take care of, store and plant FRM.</u>		
Article 16(4), second subparagraph				
342b			The official label may further include a digital element, such as a QR code, containing any of the above elements and the elements of the professional operator's document as referred to in paragraph 4a.	
Article 16(4), third subparagraph				
342c			In a non-official part, that label may also include one	

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			or more elements of the professional operator's document as referred to in paragraph 4a.	
Article 16(4a)				
342d			4a. The professional operator's document shall contain all of the following elements:	
Article 16(4a), point (a)				
342e			(a) all elements identifying the lot of the official label as referred to in paragraph 4;	
Article 16(4a), point (b)				
342f			(b) all elements as referred to in Article 15(1) not mentioned in paragraph 4;	
Article 16(4a), point (c)				
342g			(c) the address and name of the professional operator and registration code;	
Article 16(4a), point (d)				
342h			(d) the quantity of FRM supplied;	
Article 16(4a), point (e)				
342i			(e) Member State(s) of production and/or where applicable third country of origin	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			of the respective FRM;	
Article 16(4a), point (f)				
342j			(f) the name and address of the recipient of the respective FRM;	
Article 16(4a), point (g)				
342k			(g) date of issuing the professional operator's document;	
Article 16(4a), point (h)				
342l			(h) number of the professional operator's document;	
Article 16(4a), point (i)				
342m			(i) whether the FRM has been vegetatively propagated;	
Article 16(4a), point (j), first subparagraph				
342n			(j) additional information in the case of seed lots as refereed to in Article 5(1) point (h);	
Article 16(4a), point (j), first subparagraph, point (i)				
342o			(i) purity, as measured by the percentage by weight of pure seed, other seed and inert matter ;	
Article 16(4a), point (j), first subparagraph, point (ii)				
342p			(ii) germination percentage	

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			of the pure seed, or in cases where germination testing is impossible or impractical, the viability percentage assessed by reference to a specified method;	
Article 16(4a), point (j), first subparagraph, point (iii)				
342q			(iii) the weight of 1000 pure seeds;	
Article 16(4a), point (j), first subparagraph, point (iv)				
342r			(iv) the number of germinable seeds per kilogram or liter 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 or liter;	
Article 16(4a), point (j), first subparagraph, point (v)				
342s			(v) for artificial hybrids, the hybrid percentage.	
Article 16(4a), point (j), second subparagraph				
342t			In the case of small quantities of seed, as referred to in Article 5(1)(h), the information as required by this paragraph, subparagraph (ii) and (iv), may not be indicated on the professional operator's document.	
Article 16(4b)				

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342u			4b. The professional operator's document may also include:	
Article 16(4b), point (a)				
342v			(a) an indication whether FRM is derived from autochthonous or non-autochthonous basic material, if so registered pursuant to Article 12(3) point (g);	
Article 16(4b) point (b)				
342w			(b) any additional information that the professional operator might consider appropriate for the marketing of the FRM concerned.	
Article 16(4c)				
342x			In case of seeds, the official label shall be affixed to the outside of the package as referred to in Article 17.	
Article 16(5), first subparagraph				
343	5. The Commission shall, by means of implementing acts, set out the following elements concerning the official label:	5. The Commission shall, by means of implementing acts, set out the following elements concerning the official label:	5. The Commission shall may , by means of implementing acts, set out the following elements concerning format of the official label; and the professional operator's document for all or specific categories or other types	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			of FRM.	
Article 16(5), first subparagraph a				
343a				
Article 16(5), first subparagraph a, point (a)				
344	(a) content of the official label;	(a) content of the official label;	(a) content of the official label;	
Article 16(5), first subparagraph a, point (b)				
345	(b) additional information in the case of seeds and small quantities of seeds;	(b) additional information in the case of seeds and small quantities of seeds;	(b) additional information in the case of seeds and small quantities of seeds;	
Article 16(5), first subparagraph a, point (c)				
346	(c) colour of the label for specific categories or other types of FRM;	<i>deleted</i>	(c) colour of the label for specific categories or other types of FRM;	
Article 16(5), first subparagraph a, point (d)				
347	(d) additional information in the case of specific genera or species.	(d) additional information in the case of specific genera or species.	(d) additional information in the case of specific genera or species.	
Article 16(5), first subparagraph, point (da)				
347a		<u><i>(da) indication as to whether the material is product of genetic modification under Directive 2001/18/EC.</i></u>		
Article 16(5), second subparagraph				
348	Those implementing acts shall be adopted in accordance with the examination procedure referred to	Those implementing acts shall be adopted in accordance with the examination procedure referred to	Those implementing acts shall be adopted in accordance with the examination procedure referred to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in Article 27(2).	in Article 27(2).	in Article 27(2).	
Article 16(5a)				
348a			5a. Member States may decide to use coloured labels. If coloured labels are used, they shall be in accordance with the OECD Forest Seed and Plant Scheme's colours.	
Article 16(5a)				
348b		<u><i>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.</i></u>		
Article 16(6), first subparagraph				
349	6. An official label may also be issued in an electronic form ('electronic official label').	6. An official label may also be issued in an electronic form ('electronic official label').	6. An official label or professional operator's document may also be issued in an electronic form ('electronic official label' / ' electronic professional operator's document '). In such case, a printed reference, such as QR-code, shall accompany the FRM concerned.	
Article 16(6), second subparagraph				
350	The Commission may, by means of implementing acts, set out technical arrangements for the	The Commission may, by means of implementing acts, set out technical arrangements for the	The Commission may, by means of implementing acts, set out technical arrangements for the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	issuance of electronic official labels, to ensure their compliance with this Article and an appropriate, credible and effective mode for the issuance of those official labels. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	issuance of electronic official labels, to ensure their compliance with this Article and an appropriate, credible and effective mode for the issuance of those official labels. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	issuance of electronic official labels or professional operator's documents , to ensure their compliance with this Article and an appropriate, credible and effective mode for the issuance of those official labels or professional operator's documents . Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 16(7)				
351	7. The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out rules on:	7. The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out rules on:	7. The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out rules on:	
Article 16(7), point (a)				
352	(a) digital recording of all actions taken by the professional operators and the competent authorities in order to issue the official labels;	(a) digital recording of all actions taken by the professional operators and the competent authorities in order to issue the official labels;	(a) digital recording of all actions taken by the professional operators and the competent authorities in order to issue the official labels and the professional operator's documents ;	
Article 16(7), point (b)				
353	(b) the establishment of a centralised platform that connects the Member States and the Commission to facilitate the	(b) the establishment of a centralised platform that connects the Member States and the Commission to facilitate the	(b) the establishment of a centralised platform that connects the Member States and the Commission to facilitate the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	processing of, access to and use of those records.	processing of, access to and use of those records.	processing of, access to and use of those records.	
Article 17				
354	Article 17 Packages of seed units	Article 17 Packages of seed units	Article 17 Packages Packaging of seed units	
Article 17, first paragraph				
355	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. <u><i>In order to prevent putrefaction of the FRM, the packaging of the sealed package may be adapted to the needs of the respective FRM.</i></u>	Seed units-Seeds may only be marketed in sealed closed packages with that become unserviceable once the package is opened, including nets or other containers, which are sealed. Those packages shall be sealed in such a way, that any of their opening is visible and traceable.	
Article 17, first paragraph a				
355a			However, that sealing shall not be required in the case of recalcitrant seeds.	
CHAPTER V				
356	CHAPTER V DEROGATIONS FROM ARTICLE 4	CHAPTER V DEROGATIONS FROM ARTICLE 4	CHAPTER V DEROGATIONS FROM ARTICLE 4	
Article 18				
357	Article 18 Derogation from the obligation to be approved for basic material intended for the purpose of conserving forest genetic resources	Article 18 Derogation from the obligation to be approved for basic material intended for the purpose of conserving forest genetic resources	Article 18 Derogation from the obligation to be approved for basic material intended for the purpose of conserving forest genetic resources	

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Article 18(1)				
358	1. By way of derogation from Article 4(1) and (2), the registration of basic material intended for the purpose of conserving forest genetic resources in the national register shall not be subject to approval by the competent authorities.	1. By way of derogation from Article 4(1) and (2), the registration of basic material intended for the purpose of conserving forest genetic resources in the national register shall not be subject to approval by the competent authorities.	1. By way of derogation from Article 4(1) and (2), the registration of basic material intended for the purpose of conserving forest genetic resources in the national register shall not be subject to approval by the competent authorities.	
Article 18(2)				
359	2. Any professional operator registering basic material for the purpose of conserving forest genetic resources used in forestry, shall notify that basic material to the competent authority of the Member State concerned.	2. Any professional operator registering basic material for the purpose of conserving forest genetic resources used in forestry, shall notify that basic material to the competent authority of the Member State concerned.	2. Any professional operator registering basic material for the purpose of conserving forest genetic resources used in forestry, shall notify that basic material to the competent authority of the Member State concerned.	
Article 18(3), first subparagraph				
360	3. Basic material referred to in paragraph 1 shall be notified to the competent authorities in accordance with the format of FOREMATIS.	3. Basic material referred to in paragraph 1 shall be notified to the competent authorities in accordance with the format of FOREMATIS.	3. Basic material referred to in paragraph 1 shall be notified to the competent authorities in accordance with the format of FOREMATIS.	
Article 18(3), second subparagraph				
361	The notification of the basic material shall be carried out with reference to the unit of notification.	The notification of the basic material shall be carried out with reference to the unit of notification.	The notification of the basic material shall be carried out with reference to the unit of notification.	
Article 18(3), third subparagraph				
362	Each unit of notification shall be identified by a unique register	Each unit of notification shall be identified by a unique register	Each unit of notification shall be identified by a unique register	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	reference in a national register.	reference in a national register.	reference in a national register.	
Article 18(3), fourth subparagraph				
363	That notification shall contain the following information:	That notification shall contain the following information: <u>referred to in Article 12(3).</u>	That notification shall contain the following information:	
Article 18(3), fourth subparagraph, point (a)				
364	(a) botanical name;	<i>deleted</i>	(a) botanical name;	
Article 18(3), fourth subparagraph, point (b)				
365	(b) category;	<i>deleted</i>	(b) category;	
Article 18(3), fourth subparagraph, point (c)				
366	(c) basic material;	<i>deleted</i>	(c) basic material;	
Article 18(3), fourth subparagraph, point (d)				
367	(d) register reference or, where appropriate, summary thereof, or identity code for region of provenance;	<i>deleted</i>	(d) register reference or, where appropriate, summary thereof, or identity code for region of provenance;	
Article 18(3), fourth subparagraph, point (e)				
368	(e) location: a short name, if appropriate, and the region of provenance and the latitudinal, longitudinal and altitudinal range;	<i>deleted</i>	(e) location: a short name, if appropriate, and the region of provenance and the latitudinal, longitudinal and altitudinal range;	
Article 18(3), fourth subparagraph, point (f)				

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369	(f) area: the size of a seed source(s) or stand(s);	<i>deleted</i>	(f) area: the size of a seed source(s) or stand(s);	
Article 18(3), fourth subparagraph, point (g)				
370	(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;	<i>deleted</i>	(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;	
Article 18(3), fourth subparagraph, point (h)				
371	(h) purpose: conservation and sustainable use of genetic resources.	<i>deleted</i>	(h) purpose: conservation and sustainable use of genetic resources.	
Article 18(4)				
372	4. The Commission may, by means of implementing acts, establish the specific conditions as regards the requirements and content of that notification. Those implementing acts shall take account of the development of applicable international standards and shall be adopted in accordance with the examination procedure referred to in Article 27(2).	4. The Commission may, by means of implementing acts, establish the specific conditions as regards the requirements and content of that notification. Those implementing acts shall take account of the development of applicable international standards and shall be adopted in accordance with the examination procedure referred to in Article 27(2).	4. The Commission may, by means of implementing acts, establish the specific conditions as regards the requirements and content of that notification. Those implementing acts shall take account of the development of applicable international standards and shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 19				
373	Article 19	Article 19	Article 19	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Approval by professional operators of basic material intended for the production of FRM of the source-identified category	Approval by professional operators of basic material intended for the production of FRM of the source-identified category	Approval by professional operators of basic material intended for the production of FRM of the source-identified category	
Article 19, first paragraph				
374	By way of derogation from Article 4(1) and (2), Member States may authorise professional operators to approve, for certain species, basic material intended for the production of FRM of the source-identified category, if the following conditions are fulfilled:	By way of derogation from Article 4(1) and (2), Member States may authorise professional operators to approve, for certain species, basic material intended for the production of FRM of the source-identified category, if the following conditions are fulfilled:	By way of derogation from Article 4(1) and (2), Member States may competent authorities may, upon the approval of the Commission, authorise professional operators to approve, for certain species, basic material intended for the production of FRM of the source-identified category, if the following conditions are fulfilled:	
Article 19, first paragraph, point (a)				
375	(a) the region of provenance, where the basic material is located, is subject to extreme weather conditions; and	(a) the region of provenance, where the basic material is located, is subject to extreme weather conditions; and	(a) the region of provenance, where the basic material is located, is subject to extreme weather climatic conditions; and	
Article 19, first paragraph, point (b)				
376	(b) those weather conditions have an impact on the reproductive cycle of the basic material and decrease the frequency of harvesting FRM from that basic material.	(b) those weather conditions have an impact on the reproductive cycle of the basic material and decrease the frequency of harvesting FRM from that basic material.	(b) those weather extreme climatic conditions have an impact on the reproductive cycle of the basic material and decrease the frequency of harvesting FRM from that basic material most years, reducing the frequent availability of high quality FRM;	
Article 19, first paragraph, point (ba)				

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376a			(ba) the place of harvesting is remote and highly difficult for the competent authorities to access during the time of harvesting of FRM.	
Article 19, second paragraph				
377	That authorisation shall be subject to approval by the Commission.	That authorisation shall be subject to approval by notified to the Commission.	That authorisation shall be subject to approval by The Commission shall, by means of an implementing act, grant the approval for each Member State for a certain defined period. The approval shall be granted if the conditions (a), (b) and (c) are fulfilled upon the request of the Member State concerned.	
Article 19, second paragraph a				
377a			That implementing act shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 20				
378	Article 20 Provisional approval of basic material intended for the production of FRM of the tested category	Article 20 Provisional approval of basic material intended for the production of FRM of the tested category	Article 20 Provisional approval of basic material intended for the production of FRM of the tested category	
Article 20, first paragraph				
379	By way of derogation from Article 4(2), Member States may allow the	By way of derogation from Article 4(2), Member States may allow the	By way of derogation from Article 4(2), Member States may allow the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	approval, for a maximum period of 10 years, in all or part of their territory, of basic material intended for the production of FRM of the ‘tested’ category where, from the provisional results of the genetic evaluation or comparative tests referred to in Annex V, it can be assumed that once the tests are completed, the basic material will satisfy the requirements for approval under this Regulation.	approval, for a maximum period of 10 years, in all or part of their territory, of basic material intended for the production of FRM of the ‘tested’ category where, from the provisional results of the genetic evaluation or comparative tests referred to in Annex V, it can be assumed that once the tests are completed, the basic material will satisfy the requirements for approval under this Regulation.	approval approve , for a maximum period of 10 years, in all or part of their territory , of basic material intended for the production of FRM of the ‘tested’ category where, from the provisional results of the genetic evaluation or comparative tests referred to in Annex V, it can be assumed that once the tests are completed, the basic material will satisfy the requirements for approval under this Regulation.	
Article 20, first paragraph a				
379a			The Commission may, by means of an implementing act, specify the maximum number of units of FRM and the maximum area size that is to be subject to that approval.	
Article 20, first paragraph b				
379b			That implementing act shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 21				
380	Article 21 Temporary difficulties in supply	Article 21 Temporary difficulties in supply	Article 21 Temporary difficulties in supply	
Article 21(1)				
381	1. In order to overcome any	1. In order to overcome any	1. In order to overcome any	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	temporary difficulties in the general supply of FRM that occur in one or more Member States, the Commission may, at the request of at least one Member States affected, temporarily authorise the Member States to approve for marketing, by means of an implementing act, FRM of one or more species that has been derived from basic material, which satisfies less stringent requirements than the ones set out in Article 4(1) and (2).	temporary difficulties in the general supply of FRM that occur in one or more Member States, the Commission may, at the request of at least one Member States affected, temporarily authorise the Member States to approve for marketing, by means of an implementing act, FRM of one or more species that has been derived from basic material, which satisfies less stringent requirements than the ones set out in Article 4(1) and (2).	temporary difficulties in the general supply of FRM that occur in one or more Member States, the Commission may, at the request of at least one Member States affected, temporarily authorise the Member States to approve for marketing, by means of an implementing act, FRM of one or more species that has been derived from basic material, which satisfies less stringent requirements than the ones set out in Article 4(1) and (2).	
Article 21(2)				
382	2. Where the Commission acts in accordance with paragraph 1, the official label issued pursuant to Article 16(1) shall state that the FRM concerned has been derived from basic material which satisfies less stringent requirements than the ones set out in Article 4(1) and (2).	2. Where the Commission acts in accordance with paragraph 1, the official label issued pursuant to Article 16(1) shall state that the FRM concerned has been derived from basic material which satisfies less stringent requirements than the ones set out in Article 4(1) and (2).	2. Where the Commission acts in accordance with paragraph 1, the official label issued pursuant to Article 16(1) shall state that the FRM concerned has been derived from basic material which satisfies less stringent requirements than the ones set out in Article 4(1) and (2).	
Article 21(3)				
383	3. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 27(2).	3. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 27(2).	3. The implementing act referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 22				
384	Article 22 Temporary experiments to seek	Article 22 Temporary experiments to seek	Article 22 Temporary experiments to seek	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	improved alternatives to provisions of this Regulation	improved alternatives to provisions of this Regulation	improved alternatives to provisions of this Regulation	
Article 22(1), first subparagraph				
385	1. By way of derogation from Articles, 1, 4 and 5, the Commission may decide, by means of implementing acts, on the organisation of temporary experiments to seek improved alternatives to provisions of this Regulation concerning the species or artificial hybrids it applies to, the requirements for the approval of basic material and the production and marketing of FRM.	1. By way of derogation from Articles, 1, 4 and 5, the Commission may decide, by means of implementing acts, on the organisation of temporary experiments to seek improved alternatives to provisions of this Regulation concerning the species or artificial hybrids it applies to, the requirements for the approval of basic material and the production and marketing of FRM.	1. By way of derogation from Articles 1, 4 and 5, the Commission may decide, by means of implementing acts, on the organisation of temporary experiments to seek improved alternatives to provisions of this Regulation concerning the tree species or artificial listed in Annex I and their hybrids it applies to, the requirements for the approval of basic material and the production and marketing of FRM.	
Article 22(1), first subparagraph a				
385a			Those experiments may only be carried out if at least two Member States participate, upon their request.	
Article 22(1), second subparagraph				
386	Those experiments may take the form of technical or scientific trials examining the feasibility and appropriateness of new requirements compared to the ones set out in Articles 1, 4 and 5 of this Regulation.	Those experiments may take the form of technical or scientific trials examining the feasibility and appropriateness of new requirements compared to the ones set out in Articles 1, 4 and 5 of this Regulation.	Those experiments may take the form of technical or scientific trials examining the feasibility and appropriateness of new requirements compared to the ones set out in Articles 1, 4 and 5 of this Regulation.	
Article 22(2), first subparagraph				

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387	2. The implementing acts referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 27(2) and shall specify one or more of the following elements:	2. The implementing acts referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 27(2) and shall specify one or more of the following elements:	2. The implementing acts referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 27(2) and shall specify one or more of the following elements:	
Article 22(2), first subparagraph, point (a)				
388	(a) the species or artificial hybrids concerned;	(a) the species or artificial hybrids concerned;	(a) the tree species or artificial hybrids concerned and, if appropriate, the provenance;	
Article 22(2), first subparagraph, point (b)				
389	(b) the conditions of the experiments per species or artificial hybrid;	(b) the conditions of the experiments per species or artificial hybrid;	(b) the conditions of the experiments per tree species or artificial hybrid;	
Article 22(2), first subparagraph, point (c)				
390	(c) the duration of the experiment;	(c) the duration of the experiment;	(c) the duration of the experiment;	
Article 22(2), first subparagraph, point (d)				
391	(d) the monitoring and reporting obligations of the participating Member States.	(d) the monitoring and reporting obligations of the participating Member States.	(d) the monitoring and reporting obligations of the participating Member States.	
Article 22(2), second subparagraph				
392	Those acts shall take into account the evolution of:	Those acts shall take into account the evolution of:	Those acts shall take into account the evolution of:	
Article 22(2), second subparagraph, point (a)				
393	(a) the methods for the determination of the origin of the	(a) the methods for the determination of the origin of the	(a) the methods for the determination of the origin of the	

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	basic material including the use of biomolecular techniques;	basic material including the use of biomolecular techniques;	basic material including the use of biomolecular biochemical and molecular techniques (BMT) ;	
Article 22(2), second subparagraph, point (b)				
394	(b) the methods for the conservation and sustainable use of forest genetic resources taking into account applicable international standards;	(b) the methods for the conservation and sustainable use of forest genetic resources taking into account applicable international standards;	(b) the methods for the conservation and sustainable use of forest genetic resources taking into account applicable international standards;	
Article 22(2), second subparagraph, point (c)				
395	(c) the methods for reproduction, production including the use of innovative production processes;	(c) the methods for reproduction, production including the use of innovative production processes;	(c) the methods for production and reproduction, production including the use of innovative production processes;	
Article 22(2), second subparagraph, point (d)				
396	(d) the methods for the design of crossing schemes of components of basic material;	(d) the methods for the design of crossing schemes of components of basic material;	(d) the methods for the design of crossing schemes of components of basic material;	
Article 22(2), second subparagraph, point (e)				
397	(e) the methods for the assessment of characteristics of basic material and FRM;	(e) the methods for the assessment of characteristics of basic material and FRM;	(e) the methods for the assessment of characteristics of basic material and FRM;	
Article 22(2), second subparagraph, point (f)				
398	(f) the methods for the control of the FRM concerned.	(f) the methods for the control of the FRM concerned.	(f) the methods for the control of the FRM concerned.	
Article 22(2), third subparagraph				
399	Those acts shall adapt to the evolution of techniques for	Those acts shall adapt to the evolution of techniques for	Those acts shall adapt to the evolution of techniques for	

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	production of the FRM concerned, and be based on any comparative trials and tests carried out by the Member States.	production of the FRM concerned, and be based on any comparative trials and tests carried out by the Member States.	production of the FRM concerned, and be based on any comparative trials and tests carried out by the Member States.	
Article 22(3)				
400	3. The Commission shall review the results of those experiments and summarise them in a report, indicating, if necessary, the need to amend Articles 1, 4 or 5.	3. The Commission shall review the results of those experiments and summarise them in a report, indicating, if necessary, the need to amend Articles 1, 4 or 5.	3. The Commission shall review the results of those experiments and summarise them in a report, indicating, if necessary, the need to amend Articles 1, 4 or 5.	
Article 23				
401	Article 23 Authorisation to adopt more stringent requirements	Article 23 Authorisation to adopt more stringent requirements	Article 23 Authorisation to adopt more stringent requirements	
Article 23(1)				
402	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, 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, <u>provided that those requirements do not prohibit, impede or restrict the free movement of FRM that is in conformity with this Regulation.</u>	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). upon their request to:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).		
Article 23(1), point (a)				
402a			(a) adopt, as regards the requirements for the approval of basic material and the production of FRM, more stringent or additional production requirements, than those referred to in that Article, in all or part of the territory of the Member State concerned provided that those more stringent or additional production requirements do not impose, or result in, any prohibitions or restrictions on the introduction into, or movement within and through, the Union territory of FRM which complies with this Regulation.	
Article 23(1), point (b)				
402b			(b) restrict, in their territory, the approval of basic material intended for the production of FRM of the category "source-identified";	
Article 23(1), point (c)				

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402c			(c) prohibit the marketing to the end user with a view to sowing or planting in all or part of its territory of specified reproductive material, in case that FRM is not suitable for forestry ecological conditions and purposes of the respective Member State.	
Article 23(1), second subparagraph				
402d			Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 23(2)				
403	2. For the purpose of the authorisation referred to in paragraph 1, Member States shall submit to the Commission a request setting out:	2. For the purpose of the authorisation referred to in paragraph 1, Member States shall submit to the Commission a request setting out:	2. For the purpose of the authorisation referred to in paragraph 1, Member States shall submit to the Commission a request notification setting out:	
Article 23(2), point (a)				
404	(a) the draft provisions containing the proposed requirements;	(a) the draft provisions containing the proposed requirements;	(a) the draft provisions containing the proposed requirements;	
Article 23(2), point (b)				
405	(b) a justification on the necessity and proportionality of such requirements.	(b) a justification on the necessity and proportionality of such requirements.	(b) a justification on the necessity and proportionality of such requirements.	
Article 23(3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
406	3. The authorisation referred to in paragraph 1 shall be granted only if all the following conditions are fulfilled:	3. The authorisation referred to in paragraph 1 shall be granted only if all the following conditions are fulfilled:	3. The authorisation referred to in paragraph 1 shall be granted validated only if all the following conditions are fulfilled:	
Article 23(3), point (a)				
407	(a) the measures requested ensure at least one of the following:	(a) the measures requested ensure at least one of the following:	(a) the measures requested ensure at least one of the following:	
Article 23(3), point (a)(i)				
408	(i) the improvement of the quality of the FRM concerned;	(i) the improvement of the quality of the FRM concerned;	(i) the improvement of the quality of the FRM concerned;	
Article 23(3), point (a)(ii)				
409	(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 or the contribution to the protection, <u>enhancement</u> of biodiversity, <u>or</u> restoration of forest ecosystems <u>and supporting their functioning</u> ;	(ii) the protection of the environment: adaptation to climate change or the contribution to the protection of biodiversity, restoration of forest ecosystems;	
Article 23(3), point (b)				
410	(b) the measures requested are necessary and proportionate to their objective pursuant to point (a); and	(b) the measures requested are necessary and proportionate to their objective pursuant to point (a); and	(b) the measures requested are necessary and proportionate to their objective pursuant to point (a); and	
Article 23(3), point (c)				
411	(c) the measures are justified on the basis of the specific climatic and ecological conditions in the Member State concerned.	(c) the measures are justified on the basis of the specific climatic and ecological conditions in the Member State concerned.	(c) the measures are justified on the basis of the specific climatic and ecological conditions in the Member State concerned.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 23(4), first subparagraph				
412	4. Where Member States have adopted additional or more stringent requirements pursuant to Article 7 of Directive 1999/105/EC, the Member States concerned shall, by ... [one year after the date of application of this Regulation], review those measures and repeal or amend those measures to comply with this Regulation.	4. Where Member States have adopted additional or more stringent requirements pursuant to Article 7 of Directive 1999/105/EC, the Member States concerned shall, by ... [one year after the date of application of this Regulation], review those measures and repeal or amend those measures to comply with this Regulation.	4. Where Member States have adopted additional or more stringent requirements pursuant to Article 7 of Directive 1999/105/EC, the Member States concerned shall, by ... [one year after the date of application of this Regulation], review those measures and repeal or amend those measures to comply with this Regulation. ensure that those measures shall comply with this Regulation.	
Article 23(4), second subparagraph				
413	They shall inform the Commission and the other Member States of those actions.	They shall inform the Commission and the other Member States of those actions.	They shall inform the Commission and the other Member States of those actions.	
CHAPTER VI				
414	CHAPTER VI IMPORTS OF FRM	CHAPTER VI IMPORTS OF FRM	CHAPTER VI IMPORTS OF FRM	
Article 24				
415	Article 24 Imports on the basis of Union equivalence	Article 24 Imports on the basis of Union equivalence	Article 24 Imports on the basis of Union equivalence	
Article 24(1)				
416	1. FRM may be imported from third countries to the Union only if it is established, pursuant to paragraph 2, that it fulfils	1. FRM may be imported from third countries to the Union only if it is established, pursuant to paragraph 2, that it fulfils	1. FRM may be imported from third countries to the Union only if it is established, pursuant to paragraph 2, that it fulfils	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	requirements equivalent to those applicable to FRM produced and marketed in the Union.	requirements equivalent to those applicable to FRM produced and marketed in the Union. <u><i>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.</i></u>	requirements equivalent to those applicable to FRM produced and marketed in the Union.	
Article 24(2), first subparagraph				
417	2. The Commission may decide, by means of implementing acts, if FRM of specific genera, species or categories produced in a third country, fulfils requirements equivalent to those applicable to FRM produced and marketed in the Union, on the basis of all of the following:	2. The Commission may decide, by means of implementing acts, if FRM of specific genera, species or categories produced in a third country, fulfils requirements equivalent to those applicable to FRM produced and marketed in the Union, on the basis of all of the following:	2. The Commission may decide, by means of implementing acts, if FRM of specific genera, species or , categories and, where appropriate, deriving from specific types of basic material or of a specific region of provenance , produced in a third country, fulfils requirements equivalent to those applicable to FRM produced and marketed in the Union, on the basis of all of the following:	
Article 24(2), first subparagraph, point (a)				
418	(a) a thorough examination of the information and data provided by the third country concerned; and	(a) a thorough examination of the information and data provided by the third country concerned; and	(a) a thorough examination of the information and data provided by the third country concerned; and	
Article 24(2), first subparagraph, point (b)				
419	(b) the satisfactory result of an audit carried out by the Commission in the third country	(b) the satisfactory result of an audit carried out by the Commission in the third country	(b) the satisfactory result of an audit carried out by the Commission in the third country	

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	concerned, where that audit has been considered necessary by the Commission;	concerned, where that audit has been considered necessary by the Commission;	concerned, where that audit has been considered necessary by the Commission;	
Article 24(2), first subparagraph, point (c)				
420	(c) that third country participates in the OECD Scheme for the Certification of Forest Reproductive Material Moving in International Trade.	(c) that third country participates in the OECD Scheme for the Certification of Forest Reproductive Material Moving in International Trade.	(c) that third country participates in the OECD Scheme for the Certification of Forest Reproductive Material Moving in International Trade– or has a comparable certification system.	
Article 24(2), second subparagraph				
421	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2) and shall state the import conditions.	
Article 24(3)				
422	3. When adopting the decisions referred to in paragraph 1, the Commission shall consider whether the systems, for approval and registration of basic material and subsequent production of FRM from that basic material, applied in the third country concerned provide the same guarantees as those provided for in Articles 4, 5 and, where applicable, Article 11, for the ‘source identified’, ‘selected’, ‘qualified’ and ‘tested’ categories.	3. When adopting the decisions referred to in paragraph 1, the Commission shall consider whether the systems, for approval and registration of basic material and subsequent production of FRM from that basic material, applied in the third country concerned provide the same guarantees as those provided for in Articles 4, 5 and, where applicable, Article 11, for the ‘source identified’, ‘selected’, ‘qualified’ and ‘tested’ categories.	3. When adopting the decisions referred to in paragraph 1 2 , the Commission shall consider whether the systems, for approval and registration of basic material and subsequent production and marketing of FRM from that basic material, applied in the third country concerned provide the same guarantees as those provided for in Articles 4, 5 and, where applicable, Article 11, for the ‘source identified’, ‘selected’, ‘qualified’ and ‘tested’ categories.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 25				
423	Article 25 Notification and certificates of imported FRM	Article 25 Notification and certificates of imported FRM	Article 25 Notification and certificates of imported FRM imported from third countries	
Article 25(1)				
424	1. The professional operators importing FRM into the Union shall inform the respective competent authority in advance of the import through the information management system for official controls (IMSOC) referred to in Article 131 of Regulation (EU) 2017/625.	1. The professional operators importing FRM into the Union shall inform the respective competent authority in advance of the import through the information management system for official controls (IMSOC) referred to in Article 131 of Regulation (EU) 2017/625.	1. The professional operators importing FRM into the Union shall inform the respective competent authority in advance of the import through the information management system for official controls (IMSOC) referred to in Article 131 of Regulation (EU) 2017/625.	
Article 25(2)				
425	2. Imported FRM shall be accompanied by all of the following:	2. Imported FRM shall be accompanied by all of the following:	2. Imported FRM shall be accompanied by all of the following:	
Article 25(2), point (a)				
426	(a) a master certificate or another official certificate issued by the third country of origin;	(a) a master certificate or another official certificate issued by the third country of origin;	(a) a master an OECD certificate or another an equivalent official certificate issued by the third country of origin;	
Article 25(2), point (b)				
427	(b) an official label; and	(b) an official label; and	(b) an OECD label or an equivalent official label; and (c) records containing details of that FRM provided by the professional operator in that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			third country.	
Article 25(2), point (c)				
428	(c) records containing details of that FRM provided by the professional operator in that third country.	(c) records containing details of that FRM provided by the professional operator in that third country.	(c) records containing details of that FRM provided by the professional operator in that third country.	
Article 25(2), point (ca)				
428a		<u>(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.</u>		
Article 25(3)				
429	3. Following the import referred to in paragraph 1, the competent authority of the Member State concerned shall replace:	3. Following the import referred to in paragraph 1, the competent authority of the Member State concerned shall replace:	3. Following the import referred to in paragraph 1, the competent authority of the Member State concerned shall replace:	
Article 25(3), point (a)				
430	(a) the master certificate or official certificate referred to in paragraph 2, point (a) with a new master certificate issued in the Member State concerned; and	(a) the master certificate or official certificate referred to in paragraph 2, point (a) with a new master certificate issued in the Member State concerned; and	(a) the master OECD certificate or the equivalent official certificate referred to in paragraph 2, point (a) with a new master certificate issued in the Member State concerned; and	
Article 25(3), point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
431	(b) the official label referred to in paragraph 2, point (b), with a new official label issued in the Member State concerned.	(b) the official label referred to in paragraph 2, point (b), with a new official label issued in the Member State concerned.	(b) the OECD label or the equivalent official label, referred to in paragraph 2, point (b) by a new official label , or, with a new official label shall be attached in addition to that OECD label or the equivalent label. This new official label shall be issued, under the official supervision of the competent authority, either by the professional operator or by a person contracted by the professional operator in the Member State concerned. The new official label shall be accompanied with an professional operator's document, in accordance with Article 16(1b).	
Article 25(3a)				
431a			3a. The new master certificate and the new official label referred to in paragraph 3, points (a) and (b), shall contain a reference to the original documents, respectively.	
Chapter VIa				
431b			Chapter VIa OFFICIAL CONTROLS	
Article 25a				
431c			Article 25a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Official controls on forest reproductive material	
Article 25a(1)				
431d			1. Member States shall designate the competent authority or authorities on which they confer the responsibility to organise or perform official controls and other official activities. Those competent authorities may be the same authorities as those designated in accordance with Article 4 of Regulation (EU) 2017/625.	
Article 25a(2)				
431e			2. The competent authorities shall have arrangements in place to ensure:	
Article 25a(2), point (a)				
431f			(a) the effectiveness and appropriateness of official controls and other official activities;	
Article 25a(2), point (b)				
431g			(b) the impartiality, quality and consistency of official controls and other official activities;	
Article 25a(2), point (c)				

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431h			(c) that staff performing official controls and other official activities are free from any conflict of interest: commercial activities related to FRM which are carried out by such staff on behalf of their Member State do not represent any conflict of interest;	
Article 25a(2), point (d)				
431i			(d) that staff performing official controls and other official activities are suitably qualified, experienced and trained for the performance of their duties; and	
Article 25a(2), point (e)				
431j			(e) that appropriate facilities and equipment are at the disposal of the staff for the performance of official controls and other official activities.	
Article 25a(3)				
431k			3. Competent authorities shall have the legal powers to perform official controls and other official activities and the legal procedures in place to ensure that staff have access to the premises of, and documents kept by, professional operators.	
Article 25a(4), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
431l			4. Competent authorities shall perform official controls on all professional operators on a risk basis and with appropriate frequency, taking into account of:	
Article 25a(4), first subparagraph, point (a)				
431m			(a) identified risks of non-compliance with this regulation and the evolution of those risks;	
Article 25a(4), first subparagraph, point (b)				
431n			(b) the activities under the control of professional operators; and	
Article 25a(4), first subparagraph, point (c)				
431o			(c) any information indicating the likelihood that buyers of FRM might be misled, in particular as to the nature, identity, properties, composition, quantity, country of origin or place of provenance of FRM.	
Article 25a(4), second subparagraph				
431p			Member States may collect fees or charges to cover the costs of official controls and other official activities	
Article 25a(5)				
431q			5. Member States shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			ensure that adequate financial resources are available to provide the staff and other resources necessary for the competent authorities to perform official controls and other official activities. This also applies in case of delegation of certain official control tasks and official activities.	
Article 25a(6)				
431r			<p>6. Competent authorities may delegate certain official control tasks to delegated bodies or natural persons in application of Articles 28(1) and 29-31 of Regulation (EU) 2017/625. Competent authorities that have delegated certain official control tasks to delegated bodies or natural persons, or certain tasks related to other official activities to delegated bodies or natural persons, shall organise audits or inspections of such bodies or persons, as necessary to ensure the appropriate performance of those tasks. Competent authorities shall avoid duplication of audits and inspections taking into account any accreditation of the delegated bodies in accordance to</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			standards relevant to the delegated tasks.	
Article 25a(7)				
431s			7. Member States shall ensure that the Commission is informed of the contact details and of any changes regarding the competent authorities designated in accordance with paragraph 1. That information shall also be made available by Member States to the public, including on the internet.	
Article 25a(8), first subparagraph				
431t			8. The Commission may, by means of implementing acts, lay down rules on uniform practical arrangements for the performance of the official controls to verify compliance with the rules on FRM regarding:	
Article 25a(8), first subparagraph, point (a)				
431u			(a) specification of the arrangements referred to in paragraph 2;	
Article 25a(8), first subparagraph, point (b)				
431v			(b) specific reporting obligations of the delegated bodies and natural persons	

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			referred to in paragraph 6.	
Article 25a(8), second subparagraph				
431w			Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 25a(9)				
431x			9. Any decision taken by the competent authority in application of Article 66 (3) and (6), Article 137(3) and Article 138 (1) and (2) of Regulation (EU) 2017/625 concerning natural or legal persons shall be subject to such persons' right of appeal in accordance with national law.	
Article 25a(10)				
431y			10. Methods used for sampling and laboratory analyses, tests and diagnoses for the purpose of determining the information as referred to in Article 5(1) point (h), shall comply with ISTA rules, or other comparable international standards, establishing those methods or the performance criteria for those methods.	
CHAPTER VII				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
432	CHAPTER VII PROCEDURAL PROVISIONS	CHAPTER VII PROCEDURAL PROVISIONS	CHAPTER VII PROCEDURAL PROVISIONS	
Article 26				
433	Article 26 Exercise of the delegation	Article 26 Exercise of the delegation	Article 26 Exercise of the delegation	
Article 26(1)				
434	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	
Article 26(2)				
435	2. The power to adopt delegated acts referred to in Article 2(2), Article 4(2) and (6), Article 5(3), Article 7(2), Article 8(1), Article 14(6) and Article 16(7) shall be conferred on the Commission for a period of 5 years from ... [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power no later than 9 months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.	2. The power to adopt delegated acts referred to in Article 2(2), Article 4(2) and (6), Article 5(3), Article 7(2), Article 8(1), Article 14(6) and Article 16(7) shall be conferred on the Commission for a period of 5 years from ... [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power no later than 9 months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.	2. The power to adopt delegated acts referred to in Article 2(2) 2(3) , Article 4(2) and (6) , Article 5(3), , Article 7(2) 8 , Article 8(1) 10a(2) , Article 14(6) 14(13) and Article 16(7) shall be conferred on the Commission for a period of 5 years from ... [date of entry into force of this Regulation date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power no later than 9 months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration unless the European Parliament or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			the Council opposes such extension not later than 3 months before the end of each period.	
Article 26(3)				
436	3. The delegation of power referred to in Article 2(2), Article 4(2) and (6), Article 5(3), Article 7(2), Article 8(1), Article 14(6) and Article 16(7) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 2(2), Article 4(2) and (6), Article 5(3), Article 7(2), Article 8(1), Article 14(6) and Article 16(7) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 2(2) 2(3) , Article 4(2) and (6) , Article 5(3), Article 7(2) 8 , Article 8(1) 10a(2) , Article 14(6) 14(13) and Article 16(7) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
Article 26(4)				
437	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	
Article 26(5)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
438	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. <u><i>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.</i></u>	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	
Article 26(6)				
439	6. A delegated act adopted pursuant to Article 2(2), Article 4(2) and (6), Article 5(3), Article 7(2), Article 8(1), Article 14(6) and Article 16(7) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Article 2(2), Article 4(2) and (6), Article 5(3), Article 7(2), Article 8(1), Article 14(6) and Article 16(7) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Article 2(2) 2(3) , Article 4(2) and (6) , Article 5(3), Article 7(2) 8 , Article 8(1) 10a(2) , Article 14(6) 14(13) and Article 16(7) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 27				
440	Article 27 Committee procedure	Article 27 Committee procedure	Article 27 Committee procedure	
Article 27(1)				
441	<p>1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002 of the European Parliament and of the Council¹. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011².</p> <p>1. Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).</p> <p>2. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	<p>1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002 of the European Parliament and of the Council¹. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011².</p> <p>1. Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).</p> <p>2. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	<p>1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002 of the European Parliament and of the Council¹. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011².</p> <p>1. Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).</p> <p>2. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	
Article 27(2), first subparagraph				
442	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	apply.	apply.	apply.	
Article 27(2), second subparagraph				
443	Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so requests.	Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so requests.	Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so requests.	
Article 27(3)				
444	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	
CHAPTER VIII				
445	CHAPTER VIII Reporting, penalties and amendments of Regulations (EU) 2016/2031 and 2017/625	CHAPTER VIII Reporting, penalties and amendments of Regulations (EU) 2016/2031 and 2017/625	CHAPTER VIII Reporting, penalties and amendments of Regulations (EU) 2016/2031 and 2017/625	
Article 28				
446	Article 28 Reporting	Article 28 Reporting	Article 28 Reporting	
Article 28, first paragraph				
447	By ... [Office of Publications, please insert date of 5 years after the date of application of this	By ... [Office of Publications, please insert date of 5 years after the date of application of this	By ... [Office of Publications, please insert date of 5 years after the date of application of this	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation], and every 5 years thereafter, Member States shall transmit to the Commission a report on the following:	Regulation], and every 5 years thereafter, Member States shall transmit to the Commission a report on the following:	Regulation], and every 5 years thereafter, Member States shall transmit to the Commission a report on the following:	
Article 28, first paragraph, point (a)				
448	(a) quantities of certified FRM per year;	(a) quantities of certified FRM per year; <u>where a master certificate was issued</u>	(a) quantities of certified FRM by categories per year;	
Article 28, first paragraph, point (b)				
449	(b) number of adopted national contingency plans to prepare for FRM supply difficulties and the time needed to activate those contingency plans;	(b) number of adopted national contingency plans <u>by Member States</u> to prepare for FRM supply difficulties and the time <u>and resources</u> needed to activate those contingency plans;	(b) number of adopted national contingency plans to prepare for FRM supply difficulties and the time needed to activate those contingency plans;	
Article 28, first paragraph, point (c)				
450	(c) number of websites and/or national planters' guides containing information on where to best plant FRM;	(c) number of websites and/or national planters' guides containing information on where to best plant FRM;	(c) number of websites and/or national planters' guides containing information on where to best plant FRM;	
Article 28, first paragraph, point (d)				
451	(d) quantities of FRM per genera and species imported from third countries under Union equivalence;	(d) quantities of FRM per genera and species imported from third countries under Union equivalence;	(d) quantities of FRM per genera and species imported from third countries under Union equivalence as referred to in Article 24;	
Article 28, first paragraph, point (e)				
452	(e) penalties imposed pursuant to Article 29.	(e) penalties imposed pursuant to Article 29.	(e) penalties imposed pursuant to Article 29.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 28, first paragraph, point (ea)				
452a			(ea) number of registered professional operators.	
Article 28, second paragraph				
453	The Commission shall, by means of implementing acts, specify the technical formats for the report provided for in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	The Commission shall, by means of implementing acts, specify the technical formats for the report provided for in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	The Commission shall, by means of implementing acts, specify the technical formats, including digital submission and processing , for the report provided for in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 29				
454	Article 29 Penalties	Article 29 Penalties	Article 29 Penalties	
Article 29(1)				
455	1. Member States shall lay down the rules on effective, proportionate and dissuasive penalties for infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. Member States shall, without delay, notify the Commission of those rules and measures and of any subsequent amendment affecting them.	1. Member States shall lay down the rules on effective, proportionate and dissuasive penalties for infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. Member States shall, without delay, notify the Commission of those rules and measures and of any subsequent amendment affecting them.	1. Member States shall lay down the rules on effective, proportionate and dissuasive penalties for infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. Member States shall, without delay, notify the Commission of those rules and measures and of any subsequent amendment affecting them.	
Article 29(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
456	2. Member States shall ensure that financial penalties for violations of this Regulation, perpetrated through fraudulent or deceptive practices, reflect, in accordance with national law, at least either the economic advantage for the professional operator or, as appropriate, a percentage of the professional operator's turnover.	2. Member States shall ensure that financial penalties for violations of this Regulation, perpetrated through fraudulent or deceptive practices, reflect, in accordance with national law, at least either the economic advantage for the professional operator or, as appropriate, a percentage of the professional operator's turnover.	2. Member States shall ensure that financial penalties for violations of this Regulation, perpetrated through fraudulent or deceptive practices, reflect, in accordance with national law, at least either the economic advantage for the professional operator or, as appropriate, a percentage of the professional operator's turnover.	
Article 30				
457	Article 30 Amendments of Regulation (EU) 2016/2031	Article 30 Amendments of Regulation (EU) 2016/2031	Article 30 Amendments of Regulation (EU) 2016/2031	
Article 30, first paragraph				
458	Regulation (EU) 2016/2031 is amended as follows:	Regulation (EU) 2016/2031 is amended as follows:	Regulation (EU) 2016/2031 is amended as follows:	
Article 30, first paragraph, point (1)				
459	(1) in Article 37, paragraph 4 is replaced by the following:	(1) in Article 37, paragraph 4 is replaced by the following:	(1) in Article 37, paragraph 4 is replaced by the following:	
Article 30, first paragraph, point (1), amending provision, numbered paragraph (4)				
460	4. The Commission shall, by means of an implementing act, where appropriate, set out measures to prevent the presence of Union regulated non-quarantine pests on the plants for planting concerned, as referred to in Article 36, point (f), of this Regulation.	4. The Commission shall, by means of an implementing act, where appropriate, set out measures to prevent the presence of Union regulated non-quarantine pests on the plants for planting concerned, as referred to in Article 36, point (f), of this Regulation.	4. The Commission shall, by means of an implementing act, where appropriate, set out measures to prevent the presence of Union regulated non-quarantine pests on the plants for planting concerned, as referred to in Article 36, point (f), of this Regulation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Those measures shall, where appropriate, concern the introduction into and the movement within the Union of those plants.;	Those measures shall, where appropriate, concern the introduction into and the movement within the Union of those plants.;	Those measures shall, where appropriate, concern the introduction into and the movement within the Union of those plants.’ Those measures shall be adopted in accordance with the principles set out in Section 2 of Annex II to this Regulation;	
Article 30, first paragraph, point (2)				
461	(2) in Article 83, the following paragraph is added:	(2) in Article 83, the following paragraph is added:	(2) in Article 83, the following paragraph is added:	
Article 30, first paragraph, point (2), amending provision, numbered paragraph (5a), first subparagraph				
462	‘ 5a. In the case of plants for planting produced, or marketed, as categories source-identified, selected, qualified or tested, as referred to in Regulation (EU) .../...*+, the plant passport shall be included, in a distinct form, in the official label produced in accordance with the respective provisions of that Regulation.	‘ 5a. In the case of plants for planting produced, or marketed, as categories source-identified, selected, qualified or tested, as referred to in Regulation (EU) .../...*+, the plant passport shall be included, in a distinct form, in the official label produced in accordance with the respective provisions of that Regulation.	‘ 5a. In the case of plants for planting produced, or marketed, as categories source-identified, selected, qualified or tested, as referred to in Regulation (EU) .../...*+, the plant passport shall be included combined , in a distinct form, in with the official label produced in accordance with the respective provisions of that Regulation.	
Article 30, first paragraph, point (2), amending provision, numbered paragraph (5a), second subparagraph				
463	Where this paragraph applies,	Where this paragraph applies,	Where this paragraph applies,	
Article 30, first paragraph, point (2), amending provision, numbered paragraph (5a), second subparagraph, point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
464	(a) the plant passport for movement within the Union territory shall contain the elements set out in Parts E and F of Annex VII to this Regulation;	(a) the plant passport for movement within the Union territory shall contain the elements set out in Parts E and F of Annex VII to this Regulation;	(a) the plant passport for movement within the Union territory shall contain the elements set out in Parts E and F Part E of Annex VII to this Regulation;	
Article 30, first paragraph, point (2), amending provision, numbered paragraph (5a), second subparagraph, point (b), first subparagraph				
465	(b) the plant passport for introduction into, and movement within, a protected zone shall contain the elements set out in Part H of Annex VII to this Regulation.’;	(b) the plant passport for introduction into, and movement within, a protected zone shall contain the elements set out in Part H of Annex VII to this Regulation.’;	(b) the plant passport for introduction into, and movement within, a protected zone shall contain the elements set out in Part H F of Annex VII to this Regulation.’;	
Article 30, first paragraph, point (2), amending provision, numbered paragraph (5a), second subparagraph, point (b), second subparagraph				
466	_____	_____	_____	
Article 30, first paragraph, point (2), amending provision, numbered paragraph (5a), second subparagraph, point (b), third subparagraph				
467	* Regulation (EU) .../... of the European Parliament and of the Council of ... (OJ ...).’;	* Regulation (EU) .../... of the European Parliament and of the Council of ... (OJ ...).’;	* Regulation (EU) .../... of the European Parliament and of the Council of ... (OJ ...).’;	
Article 30, first paragraph, point (2), amending provision, numbered paragraph (5a), second subparagraph, point (b), fourth subparagraph				
468	+ OJ: Please insert in the text the number of this Regulation and institutions and insert the number, date, title and OJ reference of this Regulation in the footnote. ,	+ OJ: Please insert in the text the number of this Regulation and institutions and insert the number, date, title and OJ reference of this Regulation in the footnote. ,	+ OJ: Please insert in the text the number of this Regulation and institutions and insert the number, date, title and OJ reference of this Regulation in the footnote. ,	
Article 30, first paragraph, point (3)				
469	(3) Annex VII is amended in accordance with Annex VII to this	(3) Annex VII is amended in accordance with Annex VII to this	(3) Annex VII is amended in accordance with Annex VII to this	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regulation.	Regulation.	Regulation.	
Article 31				
470	Article 31 Amendments of Regulation (EU) 2017/625	Article 31 Amendments of Regulation (EU) 2017/625	Article 31 Amendments of Regulation (EU) 2017/625	
Article 31, first paragraph				
471	Regulation (EU) 2017/625 is amended as follows:	Regulation (EU) 2017/625 is amended as follows:	Regulation (EU) 2017/625 is amended as follows:	
Article 31, first paragraph, point (1)				
472	(1) in Article 1(2), the following point is added:	(1) in Article 1(2), the following point is added:	(1) in Article 1(2), the following point is added: paragraph is inserted :	
Article 31, first paragraph, point (1), amending provision, numbered paragraph (l)				
473	(l) production and marketing of forest reproductive material.;	(l) production and marketing of forest reproductive material.;	(l) production and marketing of forest reproductive material.;	
Article 31, first paragraph, point (1), amending provision, numbered paragraph (2a)				
473a			2a Articles 8, 28-33 except 29(b)iv and 33 (a), 43-46, 65-72, 75, 88-89, 102-108, 120, 130-138 shall apply, as applicable, to controls performed for the verification of compliance with requirements laid down in Regulation ... on;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 31, first paragraph, point (2)				
474	(2) in Article 3, the following point is added:	(2) in Article 3, the following point is added:	(2) in Articles 31, 44, 45(3), 65, 66, 67, 71, 88, 102, 106, 107, 108, 120, 130, 131, 132, 133(1) first subparagraph, 138, where reference is made to Article 31(2), the following point is added after the reference to Article 1(2):	
Article 31, first paragraph, point (2), amending provision, numbered paragraph (52), first subparagraph				
475	(52) ‘forest reproductive material’ means material as defined in Article 3(1) of Regulation (EU) .../... of ...*+	(52) ‘forest reproductive material’ means material as defined in Article 3(1) of Regulation (EU) .../... of ...*+	(52) ‘and 1 (2a)’. ‘forest reproductive material’ means material as defined in Article 3(1) of Regulation (EU) .../... of ...*+	
Article 31, first paragraph, point (2), amending provision, numbered paragraph (52), second subparagraph				
476	_____	_____	_____	
Article 31, first paragraph, point (2), amending provision, numbered paragraph (52), third subparagraph				
477	* Regulation (EU) .../... of the European Parliament and of the Council of (OJ ...).’;	* Regulation (EU) .../... of the European Parliament and of the Council of (OJ ...).’;	*—— Regulation (EU) .../... of the European Parliament and of the Council of (OJ ...).’;	
Article 31, first paragraph, point (2), amending provision, numbered paragraph (52), fourth subparagraph				
478	+ OJ: Please insert in the text the number of this Regulation and institutions and insert the number, date, title and OJ reference of this Regulation in the footnote.	+ OJ: Please insert in the text the number of this Regulation and institutions and insert the number, date, title and OJ reference of this Regulation in the footnote.	——+——+ OJ: Please insert in the text the number of this Regulation and institutions and insert the number, date, title and OJ reference of this Regulation in the footnote.	
Article 31, first paragraph, point (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
479	(3) the following article is inserted after Article 22a:	(3) the following article is inserted after Article 22a:	(3) the following article is inserted after Article 22a:	
Article 31, first paragraph, point (3), amending provision, first paragraph				
480	‘ Article 22b	‘ Article 22b	‘ Article 22b	
Article 31, first paragraph, point (3), amending provision, second paragraph				
481	Specific rules on official controls and for action taken by the competent authorities in relation to forest reproductive material	Specific rules on official controls and for action taken by the competent authorities in relation to forest reproductive material	Specific rules on official controls and for action taken by the competent authorities in relation to forest reproductive material	
Article 31, first paragraph, point (3), amending provision, numbered paragraph (1)				
482	1. Official controls to verify compliance with the rules referred to in Article 1(2), point (l), shall include official controls on the production and marketing of forest reproductive material, and on operators subject to those rules.	1. Official controls to verify compliance with the rules referred to in Article 1(2), point (l), shall include official controls on the production and marketing of forest reproductive material, and on operators subject to those rules.	1. Official controls to verify compliance with the rules referred to in Article 1(2), point (l), shall include official controls on the production and marketing of forest reproductive material, and on operators subject to those rules.	
Article 31, first paragraph, point (3), amending provision, numbered paragraph (2), first subparagraph				
483	2. The Commission is empowered to adopt delegated acts in accordance with Article 144 to supplement this Regulation by laying down rules for the performance of official controls on forest reproductive material in order to check compliance with Union rules referred to in Article 1(2), point (l), applicable to those goods and for action taken by the	2. The Commission is empowered to adopt delegated acts in accordance with Article 144 to supplement this Regulation by laying down rules for the performance of official controls on forest reproductive material in order to check compliance with Union rules referred to in Article 1(2), point (l), applicable to those goods and for action taken by the	2. The Commission is empowered to adopt delegated acts in accordance with Article 144 to supplement this Regulation by laying down rules for the performance of official controls on forest reproductive material in order to check compliance with Union rules referred to in Article 1(2), point (l), applicable to those goods and for action taken by the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	competent authorities following the performance of those official controls.	competent authorities following the performance of those official controls.	competent authorities following the performance of those official controls.	
Article 31, first paragraph, point (3), amending provision, numbered paragraph (2), second subparagraph				
484	Those delegated acts shall lay down rules on:	Those delegated acts shall lay down rules on:	Those delegated acts shall lay down rules on:	
Article 31, first paragraph, point (3), amending provision, numbered paragraph (2), second subparagraph, point (a)				
485	(a) specific requirements for the performance of such official controls on the production and marketing within, the Union of particular of particular forest reproductive material subject to the rules referred to in Article 1(2), point (1), to respond to non-compliance with the Union rules on forest reproductive material of a particular origin or provenance;	(a) specific requirements for the performance of such official controls on the production and marketing within, the Union of particular of particular forest reproductive material subject to the rules referred to in Article 1(2), point (1), to respond to non-compliance with the Union rules on forest reproductive material of a particular origin or provenance;	(a) specific requirements for the performance of such official controls on the production and marketing within, the Union of particular of particular forest reproductive material subject to the rules referred to in Article 1(2), point (1), to respond to non-compliance with the Union rules on forest reproductive material of a particular origin or provenance;	
Article 31, first paragraph, point (3), amending provision, numbered paragraph (2), second subparagraph, point (b)				
486	(b) specific requirements for the performance of such official controls on the activities of professional operators related to the production of particular forest reproductive material subject to the rules referred to in Article 1(2), point (1), to respond to non-compliance with the Union rules on forest reproductive material of a particular origin or provenance; and	(b) specific requirements for the performance of such official controls on the activities of professional operators related to the production of particular forest reproductive material subject to the rules referred to in Article 1(2), point (1), to respond to non-compliance with the Union rules on forest reproductive material of a particular origin or provenance; and	(b) specific requirements for the performance of such official controls on the activities of professional operators related to the production of particular forest reproductive material subject to the rules referred to in Article 1(2), point (1), to respond to non-compliance with the Union rules on forest reproductive material of a particular origin or provenance; and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 31, first paragraph, point (3), amending provision, numbered paragraph (2), second subparagraph, point (c)			
487	(c) the cases where the competent authorities are to take one or more of the measures referred to in Article 137(2) and Article 138(2) in relation to specific non-compliances.	(c) the cases where the competent authorities are to take one or more of the measures referred to in Article 137(2) and Article 138(2) in relation to specific non-compliances.	(c) the cases where the competent authorities are to take one or more of the measures referred to in Article 137(2) and Article 138(2) in relation to specific non-compliances.	
	Article 31, first paragraph, point (3), amending provision, numbered paragraph (3), first subparagraph			
488	3. The Commission shall, by means of implementing acts, lay down rules on uniform practical arrangements for the performance of official controls on plant reproductive material in order to verify compliance with Union rules referred to in Article 1(2), point (l), applicable to those goods and for action taken by the competent authorities following such official controls on:	3. The Commission shall, by means of implementing acts, lay down rules on uniform practical arrangements for the performance of official controls on plant reproductive material in order to verify compliance with Union rules referred to in Article 1(2), point (l), applicable to those goods and for action taken by the competent authorities following such official controls on:	3. The Commission shall, by means of implementing acts, lay down rules on uniform practical arrangements for the performance of official controls on plant reproductive material in order to verify compliance with Union rules referred to in Article 1(2), point (l), applicable to those goods and for action taken by the competent authorities following such official controls on:	
	Article 31, first paragraph, point (3), amending provision, numbered paragraph (3), first subparagraph, point (a)			
489	(a) uniform minimum frequency of such official controls, where a minimum level of official control is necessary to respond to recognised uniform risks of non-compliance with the rules on forest reproductive material of a particular origin or provenance;	(a) uniform minimum frequency of such official controls, where a minimum level of official control is necessary to respond to recognised uniform risks of non-compliance with the rules on forest reproductive material of a particular origin or provenance;	(a) uniform minimum frequency of such official controls, where a minimum level of official control is necessary to respond to recognised uniform risks of non-compliance with the rules on forest reproductive material of a particular origin or provenance;	
	Article 31, first paragraph, point (3), amending provision, numbered paragraph (3), first subparagraph, point (b)			
490	(b) frequency of official	(b) frequency of official	(b) frequency of official	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	controls performed by competent authorities on operators authorised to issue official labels under official supervision in accordance with Article 16(1) of Regulation (EU) .../...*+	controls performed by competent authorities on operators authorised to issue official labels under official supervision in accordance with Article 16(1) of Regulation (EU) .../...*+	controls performed by competent authorities on operators authorised to issue official labels under official supervision in accordance with Article 16(1) of Regulation (EU) .../...*+	
Article 31, first paragraph, point (3), amending provision, numbered paragraph (3), second subparagraph				
491	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 145(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 145(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 145(2).	
Article 31, first paragraph, point (3), amending provision, numbered paragraph (3), third subparagraph				
492	_____	_____	_____	
Article 31, first paragraph, point (3), amending provision, numbered paragraph (3), fourth subparagraph				
493	* Regulation (EU) .../... of the European Parliament and of the Council of (OJ ...).’	* Regulation (EU) .../... of the European Parliament and of the Council of (OJ ...).’	* Regulation (EU) .../... of the European Parliament and of the Council of (OJ ...).’	
Article 31, first paragraph, point (3), amending provision, numbered paragraph (3), fifth subparagraph				
494	+ OJ: Please insert in the text the number of this Regulation and institutions and insert the number, date, title and OJ reference of this Regulation in the footnote.	+ OJ: Please insert in the text the number of this Regulation and institutions and insert the number, date, title and OJ reference of this Regulation in the footnote.	+ OJ: Please insert in the text the number of this Regulation and institutions and insert the number, date, title and OJ reference of this Regulation in the footnote.	
CHAPTER IX				
495	CHAPTER IX FINAL PROVISIONS	CHAPTER IX FINAL PROVISIONS	CHAPTER IX FINAL PROVISIONS	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 32				
496	Article 32 Repeal of Directive 1999/105/EC	Article 32 Repeal of Directive 1999/105/EC	Article 32 Repeal of Directive 1999/105/EC	
Article 32, first paragraph				
497	Directive 1999/105/EC is repealed.	Directive 1999/105/EC is repealed.	Directive 1999/105/EC is repealed.	
Article 32, second paragraph				
498	References to that repealed act shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex VIII.	References to that repealed act shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex VIII.	References to that repealed act shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex VIII.	
Article 32a				
498a			Article 32a Article 32a Transitional measures	
Article 32a(1)				
498b			1. FRM produced, before [date of application] in accordance with the provisions of Directive 1999/105/EC or national rules, may continue to be marketed until exhaustion of the respective stocks. FRM produced in accordance with Directive 1999/105/EC may continue to be marketed with a master certificate issued pursuant to that Directive.	
Article 32a (2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
498c			2. FRM produced in accordance with the provisions of Directive 1999/105/EC or national rules shall be accompanied with a label stating that it concerns ‘FRM not approved according to the rules of [enter title of this Regulation].	
Article 33				
499	Article 33 Entry into force and application	Article 33 Entry into force and application	Article 33 Entry into force and application	
Article 33, first paragraph				
500	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
Article 33, second paragraph				
501	It shall apply from ... [3 years after the date of entry into force of this Regulation].	It shall apply from ... [3 years after the date of entry into force of this Regulation].	It shall apply from ... [3 5 years after the date of entry into force of this Regulation].	
Article 33, third paragraph				
502	It shall be binding in its entirety and directly applicable in all Member States.	It shall be binding in its entirety and directly applicable in all Member States.	It shall be binding in its entirety and directly applicable in all Member States.	
Formula				
503	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
504	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				
505	The President	The President	The President	
Formula				
506	For the Council	For the Council	For the Council	
Formula				
507	The President	The President	The President	
Annex I				
508	Annex I	Annex I	Annex I	
Annex I, first paragraph				
509	LIST OF TREE SPECIES AND ARTIFICIAL HYBRIDS	LIST OF TREE SPECIES AND ARTIFICIAL HYBRIDS	LIST OF TREE SPECIES AND ARTIFICIAL HYBRIDS	
Annex I, first paragraph a				
509a				
Annex I, Table 1				
510	Table 1	Table 1 Not able to insert new rows in TTE into table 1 of Annex I according to AM 84	Table 1 To be discussed with EP using a Word table	
Annex II				
511	Annex II	Annex II	Annex II	
Annex II				
512	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF FRM OF	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF FRM OF	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF FRM OF	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	THE 'SOURCE-IDENTIFIED' CATEGORY	THE 'SOURCE-IDENTIFIED' CATEGORY	THE 'SOURCE-IDENTIFIED' CATEGORY	
Annex II, part A				
513	Part I A. General requirement: The seed source or stand shall meet the criteria set by the competent authorities.	Part I A. General requirement: The seed source or stand shall meet the criteria set by the competent authorities.	Part I A. A. General requirement: The seed source or stand shall meet the criteria set by the competent authorities. requirements:	
Annex II, Part A, point (1)				
513a			1. Assessment of basic material	
Annex II, part A, point (1), first paragraph				
513b			The competent authority shall assess the seed source or stand with respect to the purpose(s) for which the FRM will be used, according to Article 3(1), and determine the criteria for selection on the basis of that (those) purpose(s). That (those) purpose(s) shall be indicated in the national register of the Member State concerned. There is little or no phenotypic selection of the basic material intended for the production of FRM of this category.	
Annex II, part A, point(2)				
513c			2. Origin	
Annex II, part A, point(2), first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
513d			It shall be determined either by historical evidence (bibliography, documentation kept by competent authorities, research institutes or any other organisations) or by other appropriate means (provenance trials), including internationally recognised biochemical and molecular techniques (BMT), whether the seed source or stand is indigenous, non-indigenous or whether its origin is unknown and, in the case it is indigenous, whether it is autochthonous or not. For non-indigenous basic material the origin shall be stated if known.	
Annex II, Part A, point (3)				
513e			3. Type of basic material and location	
Annex II, part A, point (3), first paragraph				
513f			The basic material shall be a seed source or stand located within a single region of provenance.	
Annex II, part B				
514	Part II B. Specific requirements:	Part II B. Specific requirements:	Part II B. B-Specific requirements:	
Annex II, part B, point (1)				
515	Type of basic material	Type of basic material	1. Type of basic	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			material Number of harvestable and sexually mature trees	
Annex II, part B, point (1), first paragraph				
516	The basic material shall be a seed source or stand located within a single region of provenance.	The basic material shall be a seed source or stand located within a single region of provenance.	Seed sources or stands shall consist of one or more groups of sexually mature trees (if possible). Those trees shall be well distributed and sufficiently numerous in a given area to maintain genetic diversity, according to the available scientific knowledge, to avoid the unfavourable effects of inbreeding and ensure adequate cross-pollination between those trees (if possible). FRM shall be collected from an optimal number of individuals of the approved The basic material shall be a seed source or stand located within a single region of provenance. , taking into account natural conditions.	
Annex II, part B, point (2)				
517	Effective size of the population	Effective size of the population	2. Effective size of the population Uniformity	
Annex II, part B, point (2), first paragraph				
518	The seed source or stand shall consist of one or more groups of trees. Those trees shall be well distributed and sufficiently	The seed source or stand shall consist of one or more groups of trees <u>(stands) or an individual stand</u> . Those trees <u>of seed source</u>	The seed source or stand Stands shall consist of one or more groups of trees. Thoses show a normal degree of individual variation in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	numerous to maintain genetic diversity and ensure adequate cross-pollination between the trees in those seed sources or stands.	<u>or stand</u> 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.	morphological characteristics (if possible). When necessary, inferior trees shall be well distributed and sufficiently numerous to maintain genetic diversity and ensure adequate cross-pollination between the trees in those removed. No requirements for seed sources or stands.	
Annex II, part B. point (3)				
519	3. Origin and region of provenance	3. Origin and region of provenance	3. Origin and region of provenance Sustainability characteristics	
Annex II, part B, point (3), second paragraph				
520	(a) The region of provenance, the location and the latitudinal, longitudinal and altitudinal range of the place(s), where the FRM is collected, shall be stated in the master certificate.	(a) The region of provenance, the location and the latitudinal, longitudinal and altitudinal range of the place(s), where the FRM is collected, shall be stated in the master certificate.	(a) Seed sources or stands shall be well-adapted to the climatic and ecological conditions, including the biotic and abiotic factors prevailing in the region of provenance, the location (if possible). The trees show resistance or tolerance to pests and the latitudinal, longitudinal and altitudinal range of adverse climatic and site conditions in the place(s), where the FRM is collected, shall be stated in the master certificate they are growing (if possible).	
Annex II, point 3.(b), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
521	(b) The professional operator shall determine either by historical evidence (bibliography, documentation kept by competent authorities, research institutes or any other organisations) or by other appropriate means (provenance trials), including internationally recognised bio-molecular techniques, whether the origin of the basic material is:	(b) The professional operator shall determine either by historical evidence (bibliography, documentation kept by competent authorities, research institutes or any other organisations) or by other appropriate means (provenance trials), including internationally recognised bio-molecular techniques, whether the origin of the basic material is:	(b) The professional operator shall determine either by historical evidence (bibliography, documentation kept by competent authorities, research institutes or any other organisations) or by other appropriate means (provenance trials), including internationally recognised bio-molecular techniques, whether the origin of the basic material is:	
Annex II, point 3.(b), first subparagraph, point (i)				
522	(i) autochthonous;	(i) autochthonous;	(i) autochthonous;	
Annex II, point 3.(b), first subparagraph, point (ii)				
523	(ii) non-autochthonous;	(ii) non-autochthonous;	(ii) non-autochthonous;	
Annex II, point 3.(b), first subparagraph, point (iii)				
524	(iii) indigenous;	(iii) indigenous;	(iii) indigenous;	
Annex II, point 3.(b), first subparagraph, point (iv)				
525	(iv) non-indigenous;	(iv) non-indigenous;	(iv) non-indigenous;	
Annex II, point 3.(b), first subparagraph, point (v)				
526	(v) unknown.	(v) unknown.	(v) unknown.	
Annex II, point 3.(b), second subparagraph				
527	In the case of non-autochthonous or non-indigenous basic material, the origin of that basic material shall be stated if known.	In the case of non-autochthonous or non-indigenous basic material, the origin of that basic material shall be stated if known.	In the case of non-autochthonous or non-indigenous basic material, the origin of that basic material shall be stated if known.	
Annex II, point 3.(b), third subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
528	The competent authority shall verify the information provided by the professional operator.	The competent authority shall verify the information provided by the professional operator.	The competent authority shall verify the information provided by the professional operator.	
Annex II, part B, point (4)				
529	4. Sustainability characteristics	4. Sustainability characteristics	4. Sustainability characteristics Additional requirements	
Annex II, part B, point (4), first paragraph				
530	(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 <u>and also marginal populations demonstrating local adaptation to more extreme biotic and abiotic factors</u> .	(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. Additional requirements for specific traits or products shall be well-adapted and assessed by the competent authorities and be made available on request to the climatic and ecological conditions including the biotic and abiotic factors prevailing in the region of provenance. Commission and other Member States.	
Annex II, 4.,				
531	(b) The trees shall in be practically free from pests and their symptoms.	(b) The trees shall in be practically free from <u>quality</u> pests and their symptoms.	(b) The trees shall in be practically free from pests and their symptoms.	
Annex III				
532	Annex III	Annex III	Annex III	
Annex III, first paragraph				
533	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	THE PRODUCTION OF FRM OF THE 'SELECTED' CATEGORY	THE PRODUCTION OF FRM OF THE 'SELECTED' CATEGORY	THE PRODUCTION OF FRM OF THE 'SELECTED' CATEGORY	
Annex III, Part A				
534	Part I A. General requirement: The competent authority shall assess the stand with respect to the specific purpose for which the FRM will be used and shall give due weight to requirements set out in Section B, depending on that purpose. The competent authority shall determine the criteria for selection on the basis of that specific purpose for use of the FRM. That purpose shall be indicated in the national register of the Member State concerned.	Part I A. General requirement: The competent authority shall assess the stand with respect to the specific purpose for which the FRM will be used and shall give due weight to requirements set out in Section B, depending on that purpose. The competent authority shall determine the criteria for selection on the basis of that specific purpose for use of the FRM. That purpose shall be indicated in the national register of the Member State concerned.	Part I A. General requirement: The competent authority shall assess the stand with respect to the specific purpose for which the FRM will be used and shall give due weight to requirements set out in Section B, depending on that purpose. The competent authority shall determine the criteria for selection on the basis of that specific purpose for use of the FRM. That purpose shall be indicated in the national register of the Member State concerned.	
Annex III, Part A, point (1)				
534a			1. Assessment of basic material	
Annex III, Part A, point (1), first paragraph				
534b			The competent authority shall assess the stand with respect to the purpose(s) for which the FRM will be used, according to Article 3(1), and determine the criteria for selection on the basis of that (those) purpose(s). That (those) purpose(s) shall be indicated in the national register of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Member State concerned.	
Annex III, Part A, point (2)				
534c			2. Origin	
Annex III, Part A, point (2), first paragraph				
534d			It shall be determined either by historical evidence (bibliography, documentation kept by competent authorities, research institutes or any other organisations) or by other appropriate means (provenance trials), including internationally recognised biochemical and molecular techniques (BMT), whether the stand is indigenous, non-indigenous or whether its origin is unknown and, in the case it is indigenous, whether it is autochthonous or not. For non-indigenous basic material the origin shall be stated if known.	
Annex III, Part A, point (3)				
534e			3. Age and development	
Annex III, Part A, point (3), first paragraph				
534f			The age or stage of development of the trees in the stand shall be such to allow the criteria given for the selection of those trees to be clearly judged.	
Annex III, Part A, point (4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
534g			4. Type of basic material and location	
Annex III, Part A, point (4), first paragraph				
534h			The basic material shall be a stand located within a single region of provenance.	
Annex III, Part B.				
535	Part II B. Specific requirements:	Part II B. Specific requirements:	Part II B. Specific requirements:	
Annex III, Part B, point (1)				
536	1. Origin: It shall be determined either by historical evidence (bibliography, documentation kept by competent authorities, research institutes or any other organisations) or by other appropriate means (provenance trials), including internationally recognised bio-molecular techniques, whether the stand is autochthonous/indigenous, non-autochthonous/non-indigenous or whether its origin is unknown. For non-autochthonous/non-indigenous basic material the origin shall be stated if known.	1. Origin: It shall be determined either by historical evidence (bibliography, documentation kept by competent authorities, research institutes or any other organisations) or by other appropriate means (provenance trials), including internationally recognised bio-molecular techniques, whether the stand is autochthonous/indigenous, non-autochthonous/non-indigenous or whether its origin is unknown. For non-autochthonous/non-indigenous basic material the origin shall be stated if known.	1. Origin: It shall be determined either by historical evidence (bibliography, documentation kept by competent authorities, research institutes or any other organisations) or by other appropriate means (provenance trials), including internationally recognised bio-molecular techniques, whether the stand is autochthonous/indigenous, non-autochthonous/non-indigenous or whether its origin is unknown. For non-autochthonous/non-indigenous basic material the origin shall be stated if known. Isolation	
Annex III, Part B, point (1) (a)				
536a			a) purposes ‘multifunctional forestry’, ‘production of wood,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>biomaterials, biomass or other forest products’: Stands shall be situated, if possible, 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.</p>	
Annex III, Part B, point (1)(b)				
536b			<p>b) purpose ‘conservation of forest genetic resources’: Stands shall be situated, if possible, at a sufficient distance from stands 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.</p>	
Annex III, Part B, point (2)				
537	2. Isolation: Stands shall be situated at a sufficient distance	2. Isolation: Stands shall be situated at a sufficient distance	2. Isolation: Stands shall be situated at a sufficient distance	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	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.	from stands of poor quality of the same <i>or related</i> 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.	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. Number of harvestable and sexually mature trees	
Annex III, Part II, point 2, (a)				
537a			a) purposes ‘multifunctional forestry’, ‘production of wood, biomaterials, biomass or other forest products’: Stands shall consist of one or more groups of sexually mature trees. Those trees shall be well distributed and sufficiently numerous in a given area to maintain genetic diversity, to avoid the unfavourable effects of inbreeding and ensure adequate cross-pollination between those trees.	
Annex III, Part B, point (2)(b)				
537b			b) purpose ‘conservation of forest genetic resources’: Stands shall consist of one or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			more groups of sexually mature trees (if possible). Those trees shall be well distributed and sufficiently numerous in a given area to maintain genetic diversity, according to the available scientific knowledge, to avoid the unfavourable effects of inbreeding and ensure adequate cross-pollination between those trees (if possible). FRM shall be collected from an optimal number of individuals of the approved basic material, taking into account natural conditions.	
Annex III, Part B, point (3)				
538	3. Effective size of the population: To maintain genetic diversity and ensure adequate cross-pollination, stands shall consist of one or more groups of trees. Those trees shall be well distributed and sufficiently numerous in a given area to maintain genetic diversity, to avoid the unfavourable effects of inbreeding and ensure adequate cross-pollination between those trees.	3. Effective size of the population: To maintain genetic diversity and ensure adequate cross-pollination, stands shall consist of one or more groups of trees. Those trees shall be well distributed and sufficiently numerous in a given area to maintain genetic diversity, to avoid the unfavourable effects of inbreeding and ensure adequate cross-pollination between those trees.	3. Effective size of the population: To maintain genetic diversity and ensure adequate cross-pollination, stands shall consist of one or more groups of trees. Those trees shall be well distributed and sufficiently numerous in a given area to maintain genetic diversity, to avoid the unfavourable effects of inbreeding and ensure adequate cross-pollination between those trees. Uniformity	
Annex III, Part B, point (3)(a)				
538a			a) purposes ‘multifunctional forestry’,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			‘production of wood, biomaterials, biomass or other forest products’: Stands shall show a normal degree of individual variation in morphological characteristics (not apply for biomass production). When necessary, inferior trees shall be removed.	
Annex III, Part B, point(3)(b)				
538b			b) purpose ‘conservation of forest genetic resources’: Stands shall show a normal degree of individual variation in morphological characteristics (if possible). When necessary, inferior trees shall be removed.	
Annex III, Part B, point (4)				
539	4. Age and development: The age or stage of development of the trees in the stands shall be such to allow the criteria given for the selection of those trees to be clearly judged.	4. Age and development: The age or stage of development of the trees in the stands shall be such to allow the criteria given for the selection of those trees to be clearly judged.	4. Age and development: The age or stage of development of the trees in the stands shall be such to allow the criteria given for the selection of those trees to be clearly judged. Sustainability characteristics	
Annex III, Part B, point (4)(a)				
539a			a) purposes ‘multifunctional forestry’, ‘production of wood biomaterials, biomass or other forest products’:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Stands shall be well-adapted to the climatic and ecological conditions, including the biotic and abiotic factors prevailing in the region of provenance. The trees show resistance or tolerance to pests and the adverse climatic and site conditions in the place where they are growing.	
Annex III, Part B, point (4) (b)				
539b			b) purpose ‘conservation of forest genetic resources’: Stands shall be well-adapted to the climatic and ecological conditions, including the biotic and abiotic factors prevailing in the region of provenance (if possible). The trees show resistance or tolerance to pests and the adverse climatic and site conditions in the place where they are growing (if possible).	
Annex III, part B, point (5)				
540	5. Uniformity: Stands shall show a normal degree of individual variation in morphological characteristics. When necessary, inferior trees shall be removed.	5. Uniformity: Stands shall show a normal degree of individual variation in morphological characteristics. When necessary, inferior trees shall be removed.	5. Uniformity: Stands shall show a normal degree of individual variation in morphological characteristics. When necessary, inferior trees shall be removed. Volume production	
Annex III, Part B, point (5) (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
540a			<p>a) purposes ‘multifunctional forestry’, ‘production of wood, biomaterials, biomass or other forest products’: The volume of production shall normally be superior to the accepted average volume produced under similar ecological and management conditions.</p>	
Annex III, Part B, point (5) (b)				
540b			<p>b) purposes ‘conservation of forest genetic resources’: No requirements.</p>	
Annex III, Part B, point (6)				
541	6. Sustainability characteristics:	6. Sustainability characteristics:	6. Sustainability characteristics: characteristics: Wood quality	
Annex III, Part B, point (6)(a)				
542	(a) Stands shall be well-adapted to the climatic and ecological conditions, including the biotic and abiotic factors prevailing in the region of provenance.	(a) Stands shall be well-adapted to the climatic and ecological conditions, including the biotic and abiotic factors prevailing in the region of provenance.	<p>(a) Standspurpose ‘multifunctional forestry’: The wood quality shall normally be superior to the accepted average quality under similar ecological and management conditions, including the biotic and abiotic factors prevailing in the region of provenance.</p>	
Annex III, Part B, point (6)(b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
543	(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 <u>quality</u> pests and their symptoms and show resistance to adverse site <u>climatic and site-specific</u> conditions in the place where they are growing.	(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 purposes ‘production of wood, biomaterials, biomass or other forest products’, ‘conservation of forest genetic resources’: No requirements.	
Annex III, Part B, point (7)				
544	7. Volume production: For the approval of selected stands, the volume of wood produced shall normally be superior to the accepted average volume produced under similar ecological and management conditions.	7. Volume production: For the approval of selected stands, the volume of wood produced shall normally be superior to the accepted average volume produced under similar ecological and management conditions.	7. Volume production: For the approval of selected stands, the volume of wood produced shall normally be superior to the accepted average volume produced under similar ecological and management conditions. Form or growth habit	
Annex III, Part B, point (7) (a)				
544a			a) purpose ‘multifunctional forestry’: Trees shall show particularly good morphological features, especially straightness and circularity of stem, favourable branching habit, small size of branches and good natural pruning. In addition, the proportion of forked trees and those showing spiral grain shall be low - when necessary such	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			trees shall be removed.	
Annex III, Part B, point (7)(b)				
544b			b) purposes ‘production of wood, biomaterials, biomass or other forest products’, ‘conservation of forest genetic resources’: No requirements.	
Annex III, part B, point (8)				
545	8. Wood quality: The quality of the wood shall be taken into account. The quality of the wood is an essential criterion, if the FRM will be used in the forestry industry for the purpose of producing timber, furniture or pulp. In that case the competent authority shall give more weight to this criterion.	8. Wood quality: The quality of the wood shall be taken into account. The quality of the wood is an essential criterion, if the FRM will be used in the forestry industry for the purpose of producing timber, furniture or pulp. In that case the competent authority shall give more weight to this criterion.	8. Wood quality: The quality of the wood Additional requirements Additional requirements for specific traits or products shall be taken into account. The quality of the wood is an essential criterion, if the FRM will be used in the forestry industry for the purpose of producing timber, furniture or pulp. In that case adopted and assessed by the competent authority shall give more weight to this criterion authorities and be made available on request to the Commission and other Member States. Table Annex III mandate to be discussed in Word format	
Annex III, point 9.				
546	9. Form or growth habit:	9. Form or growth habit:	9. Form or growth habit:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Trees in stands shall show particularly good morphological features, especially straightness and circularity of stem, favourable branching habit, small size of branches and good natural pruning. In addition, the proportion of forked trees and those showing spiral grain shall be low.	Trees in stands shall show particularly good morphological features, especially straightness and circularity of stem, favourable branching habit, small size of branches and good natural pruning. In addition, the proportion of forked trees and those showing spiral grain shall be low.	Trees in stands shall show particularly good morphological features, especially straightness and circularity of stem, favourable branching habit, small size of branches and good natural pruning. In addition, the proportion of forked trees and those showing spiral grain shall be low.	
Annex IV, point -1.				
546a			A General requirements	
Annex IV, point -1a.				
546b			A. General requirements	
Annex IV, first paragraph -a				
546c			A. General requirements	
Annex IV, point -1b.				
546d			A. General requirements	
Annex IV				
547	Annex IV	Annex IV	Annex IV	
Annex IV, first paragraph				
548	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF FRM OF THE 'QUALIFIED' CATEGORY	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF FRM OF THE 'QUALIFIED' CATEGORY	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF FRM OF THE 'QUALIFIED' CATEGORY	
Annex IV, Title I				
549	1. Seed orchards	1. Seed orchards	I.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Seed orchards	
Annex IV, point A(1)				
550	(a) The competent authority shall approve and register the type and objective of the crossing design, the crossing design of component clones or families and field layout, the component clones or families, isolation and location and any changes of these.	(a) The competent authority shall approve and register the type and objective of the crossing design, the crossing design of component clones or families and field layout, the component clones or families, isolation and location and any changes of these.	(a)1. The competent authority shall approve and the purpose(s) of the seed orchard according to the purpose(s) given in article 3(1). That (those) purpose(s) shall be indicated in the national register the type and objective of the crossing design, the crossing design of component Member State concerned. The clones or families and field layout, the component clones or families, isolation and location and any changes of these.(individuals) shall be selected for their outstanding characteristics according to the selected purpose(s).	
Annex IV, point A(2)				
551	(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.	(b) The professional operator shall select component clones or families <u>shall be selected</u> for their outstanding characteristics and shall give due weight <u>shall be given</u> 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.	(b)2. The professional operator competent authority shall select approve and register the crossing design of component clones or families for and field layout, the component clones or families and if appropriate the degree of relationship of component clones, their outstanding characteristics and shall give due weight to the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			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 numbers and numbers of individuals (ramets) per clone in the case of clonal seed orchards, isolation or, if possible, limitation of pollen flow and location and any changes of these.	
Annex IV, point A(3)				
552	(c) The component clones or families shall be planted or shall have been planted according to a plan which has been approved by the competent authority and established in such a way that each component can be identified.	(c) The component clones or families shall be planted or shall have been planted according to a plan which has been approved by the competent authority and established in such a way that each component can be identified.	(c) 3. The component clones or families shall be planted or shall have been planted according to a plan which has been approved by the competent authority and established in such a way that each component can be identified. The optimal balance between the effective number of clones or families and genetic gain needs to be considered.	
Annex IV, point A(4)				
553	(d) Thinning carried out in seed orchards shall be described together with the selection criteria used for such thinning and registered with the competent authority.	(d) Thinning carried out in seed orchards shall be described together with the selection criteria used for such thinning and registered with the competent authority.	(d) 4. Thinning carried out in seed orchards shall be described together with the selection criteria used for such thinning and registered with by the competent authority.	
Annex IV, point A (5)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
554	(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 professional operator shall manage seed orchards <u>shall be managed</u> and harvest seed <u>shall be harvested</u> 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)5. The professional operator shall manage seed orchards shall be managed , and harvest seed harvested , in such a way that the objectives purposes of the orchards are attained. In the case of a seed orchard intended for the production of an artificial hybrid hybrids , the percentage of hybrids in the FRM shall be determined by a verification test molecular techniques .	
Annex IV, part I, point B				
554a			B. Specific requirements Requirements for specific traits or products (selection criteria for component clones or families) shall be adopted and assessed by the competent authorities and be made available on request to the Commission and other Member States, taking into account, as appropriate, age and development, sustainability characteristics, volume production, wood quality, and form or growth habit and other usefull specific traits.	
Annex IV, title II				
555	2. Parents of family(ies)	2. Parents of family(ies)	2 II. Parents of family(ies)	
Annex IV, title II, point A(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
556	(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 professional operator shall select parents <u>shall be selected</u> 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)1. The professional operator shall select competent authority shall approve the purpose(s) of the parents of family(ies) according to the purpose(s) given in article 3(1). That (those) purpose(s) shall be indicated in the national register of the Member State concerned. The parents of family(ies) 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 according to the requirements set out in points 4 and 6 to 9 of Section B of Annex III, taking into account the specific selected purpose for which the resulting FRM will be used(s).	
Annex IV, part II, point (2)				
557	(b) The objective, crossing design and pollination system, components, isolation and location and any significant changes of these shall be approved and registered with the competent authority.	(b) The objective, crossing design and pollination system, components, isolation and location and any significant changes of these shall be approved and registered with the competent authority.	(b)2. The objective purpose , crossing design and pollination system, components, isolation and/or limitation of pollen flow, if possible , location and any significant changes of these characteristics shall be approved and registered with by the competent authority.	
Annex IV, part II, point A(3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
558	(c) The identity, number and proportion of the parents in a mixture shall be approved and registered with the competent authority.	(c) The identity, number and proportion of the parents in a mixture shall be approved and registered with the competent authority.	(c) 3. The identity, number and proportion of the parents in a mixture shall be approved and registered with by the competent authority.	
Annex IV, part II, point A(4)				
559	(d) In the case of parents intended for the production of an artificial hybrid, the percentage of hybrids in the FRM shall be determined by a verification test.	(d) In the case of parents intended for the production of an artificial hybrid, the percentage of hybrids in the FRM shall be determined by a verification test.	(d) 4. In the case of parents intended for the production of an artificial hybrid hybrids , the percentage of hybrids in the FRM shall be determined by a verification test molecular techniques .	
Annex IV, part II, point B				
559a			B. Specific requirements Requirements for specific traits or products (selection criteria) shall be adopted and assessed by the competent authorities and be made available on request to the Commission and other Member States, taking into account, as appropriate, age and development, sustainability characteristics, volume production, wood quality, and form or growth habit and other usefull specific traits.	
Annex IV, part III				
560	3. Clones	3. Clones	3 III. Clones	
Annex IV, part III, point A				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
561	(a) Clones shall be identifiable by distinctive characteristics which have been approved and registered with the competent authority.	(a) Clones shall be identifiable by distinctive characteristics which have been approved and registered with the competent authority.	(a) 1. A. General requirements 1. The competent authority shall approve and register clones that shall either be identifiable by distinctive characteristics which have been approved and registered with the competent authority or traceable through propagation cycles and/or molecular techniques, as appropriate.	
Annex IV, part III, point A(2)				
562	(b) The value of individual clones shall be established by the observation and the qualitative assessment of the characteristics of those clones or have been demonstrated by sufficiently prolonged experimentation.	(b) The value of individual clones shall be established by the observation and the qualitative assessment of the characteristics of those clones or have been demonstrated by sufficiently prolonged experimentation.	(b) 2. The value of individual clones shall be established by the observation and the qualitative assessment of the characteristics of those clones or have been demonstrated by sufficiently prolonged experimentation.	
Annex IV, part III, point A(3)				
563	(c) Ortets used for the production of clones 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.	(c) Ortets used for the production of clones 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.	(c) 3. Ortets or cell lines used for the production of clones 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(s) for which the resulting FRM will be used, as given in article 3(1).	
Annex IV, part III, point A(4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
564	(d) Approval shall be restricted by the competent authority to a maximum number of years or a maximum number of ramets produced.	(d) Approval shall be restricted by the competent authority to a maximum number of years or a maximum number of ramets produced.	(d) 4. Approval shall be restricted by the competent authority to a maximum number of years or a maximum number of ramets produced.	
Annex IV, part III, point B				
564a			B. Specific requirements Requirements for specific traits or products (selection criteria) shall be adopted and assessed by the competent authorities and be made available on request to the Commission and other Member States, taking into account, as appropriate, age and development, sustainability characteristics, volume production, wood quality, and form or growth habit and other useful specific traits.	
Annex IV, part IV				
565	4. Clonal mixtures	4. Clonal mixtures	4 IV. Clonal mixtures	
Annex IV, part IV, point A(1)				
566	(a) Clonal mixtures shall meet the requirements set out in point 3(a), (b) and (c).	(a) Clonal mixtures shall meet the requirements set out in point 3(a), (b) and (c).	(a) A. A. General Requirements 1. Clonal mixtures shall meet the requirements set out in point 3 (a) , (b) and (c) III A. (1), (2) and (3).	
Annex IV, part IV, point A(2)				
567	(b) The identity, number and proportion of the component clones	(b) The identity, number and proportion of the component clones	(b) 2. The identity, number and proportion of the component clones	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of a mixture, and the selection method and foundation stock shall be approved and registered by the competent authority. Each mixture shall contain sufficient genetic diversity.	of a mixture, and the selection method and foundation stock shall be approved and registered by the competent authority. Each mixture shall contain sufficient genetic diversity.	of a mixture, and the selection method and foundation stock shall be approved and registered by the competent authority. Each mixture shall contain sufficient genetic diversity.	
Annex IV, part IV, point A(3)				
568	(c) Approval shall be restricted by the competent authority to a maximum number of years or a maximum number of ramets produced.	(c) Approval shall be restricted by the competent authority to a maximum number of years or a maximum number of ramets produced.	(c) 3. Approval shall be restricted by the competent authority to a maximum number of years or a maximum number of ramets produced.	
Annex IV, part IV, point B				
568a			B. Specific requirements Clonal mixtures shall meet the requirements set out in point III B.	
Annex V				
569	Annex V	Annex V	Annex V	
Annex V, first paragraph				
570	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF FRM OF THE 'TESTED' CATEGORY	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF FRM OF THE 'TESTED' CATEGORY	REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF FRM OF THE 'TESTED' CATEGORY	
Annex V, point 1.				
571	1. REQUIREMENTS FOR ALL TESTS	1. REQUIREMENTS FOR ALL TESTS	1. REQUIREMENTS FOR ALL TESTS	
Annex V, point 1(a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
572	General	<u>(a)</u> General	(a) General	
Annex V, point 1(a), first paragraph				
573	If the basic material is a stand, it shall satisfy the appropriate requirements set out in Annex III. If the basic material is a seed orchard(s), parents of family(ies), clones or clonal mixture(s), it shall satisfy the appropriate requirements set out in Annex IV. The competent authority shall determine the selection criteria based on the intended purpose for which the FRM will be used.	If the basic material is a stand, it shall satisfy the appropriate requirements set out in Annex III. If the basic material is a seed orchard(s), parents of family(ies), clones or clonal mixture(s), it shall satisfy the appropriate requirements set out in Annex IV. The competent authority shall determine the selection criteria based on the intended purpose for which the FRM will be used.	If the basic material is a stand, it shall satisfy the appropriate requirements set out in Annex III. If the basic material is any of the following : a seed orchard(s), parents of family(ies), clones or clonal mixture(s), it shall satisfy the appropriate requirements set out in Annex IV. The competent authority shall determine the selection criteria based on the intended purpose for which the FRM will be used.	
Annex V, point 1(a) second paragraph				
574	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 prepare, lay out and conduct <u>report the material, methods and results of tests set up to the competent authority responsible</u> for the approval of the basic material. They shall interpret The results of those tests <u>presented shall be analysed</u> in accordance with the internationally recognised procedures. For <u>In</u> 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) <u>shall be</u>	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 are to be prepared, laid out, conducted and their result interpreted in accordance with the internationally recognised procedures. For comparative tests, the professional operator FRM shall compare the FRM be compared under test with one or preferably several approved or pre-chosen standards as described in point 3(b).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>used.</u>		
Annex V, fourth paragraph a				
574a		<u>(aa) A minimum number of test areas of a minimum size per tree species listed in Annex I shall be fulfilled.</u>		
Annex V, point 1(b)				
575	(b) Characteristics to be examined	(b) Characteristics to be examined	(b) Characteristics to be examined	
Annex V, point 1(b)(i)				
576	(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 professional operator tests shall design tests <u>be designed</u> to assess the relevant characteristics specified in point (ii) and shall indicate these , for each test in the test records <u>these shall be indicated</u> .	(i) The professional operator shall design Tests must be designed to assess the relevant those characteristics specified in point (ii) and these shall indicate these be indicated for each test in the test records.	
Annex V, point 1(b)(ii)				
577	(ii) Weight shall be given to adaptation, growth, biotic and abiotic factors of importance. In addition, other characteristics, considered important in view of the intended specific purpose, shall be evaluated in relation to the ecological conditions of the region in which the test is carried out including current and future projected climatic conditions.	(ii) Weight shall be given to adaptation, growth, biotic and abiotic factors of importance. In addition, other characteristics, considered important in view of the intended specific purpose, shall be evaluated in relation to the ecological conditions of the region in which the test is carried out including current and future projected climatic conditions.	(ii) Weight shall be given to adaptation, growth, biotic and abiotic factors of importance. In addition, other characteristics, considered important in view of the intended specific purpose. They shall be evaluated in relation to the ecological conditions of the region in which the test is carried out including current and future projected climatic conditions.	
Annex V, point 1(c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
578	Documentation	(c) Documentation	(c) Documentation	
Annex V, point 1(c), first paragraph				
579	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 keep records describing the test sites <u>provide all information necessary for the evaluation of test results</u> , including the location, climate, soil, past use, establishment, management and any damage due to abiotic/biotic factors. He <u>The professional operator</u> 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 competent authorities or, where applicable, the professional operators, shall keep records describing the following elements: 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, alongside with all the results at the time of the evaluation. In the case where those records are kept by the professional operators, they shall be made available to the competent authority.	
Annex V, point 1(d)				
580	(d) Setting up the tests	(d) Setting up the tests	(d) Setting up the tests	
Annex V, point 1(d)(i)				
581	(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) The professional operator shall raise, plant and manage Each sample of FRM <u>shall be raised, planted and managed</u> in an identical way as far as the types of plant material permit.	(i) The professional operator shall raise, plant and manage Each sample of FRM shall be raised, planted and managed in an identical way as far as the types of plant material permit.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex V, point 1(d)(ii)				
582	(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) The professional operator shall establish Each experiment <u>shall be established</u> 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) The professional operator shall establish Each experiment shall be established 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.	
Annex V, III point 1(e)				
583	(e) Analysis and validity of results	(e) Analysis and validity of results	(e) Analysis and validity of results	
Annex V, point 1(e)(i)				
584	(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 professional operator shall analyse The data from <u>the</u> experiments <u>shall be analysed</u> using internationally recognised statistical methods and shall present the results <u>shall be presented</u> for each characteristic examined.	(i) The professional operator shall analyse The data from the experiments shall be analysed using internationally recognised statistical methods and shall present the results shall be presented for each characteristic examined.	
Annex V, point 1(e)(ii)				
585	(ii) The methodology used for the test and the detailed results obtained shall be made freely available.	(ii) The methodology used for the test and the detailed results obtained shall be made freely available.	(ii) The methodology used for the test and, if possible , the detailed results obtained, shall be made freely available accessible .	
Annex V, III point 1(e)(iii)				
586	(iii) The competent authority of the Member State in which the test was carried out shall designate the	(iii) The competent authority of the Member State in which the test was carried out shall designate the	(iii) The competent authority of the Member State in which the test was carried out shall may designate	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	suggested deployment area, and shall inform about any characteristics of the FRM, which might limit its usefulness.	suggested deployment area, and shall inform about any characteristics of the FRM, which might limit its usefulness.	the suggested deployment area, and shall inform about any characteristics of the FRM, which might limit its usefulness.	
Annex V, point 1(e)(iv)				
587	(iv) If during tests it is proved that the FRM does not possess at least the characteristics of the basic material from which that FRM was produced, including in particular the resistance/tolerance to plant pests of economic importance, then such FRM shall not be certified as tested material.	(iv) If during tests it is proved that the FRM does not possess at least the characteristics of the basic material from which that FRM was produced, including in particular the resistance/tolerance to plant pests of economic importance, then such FRM shall not be certified as tested material.	(iv) If during tests it is proved that the FRM does not possess at least the characteristics of the basic material from which that FRM was produced, including in particular the resistance/tolerance to plant pests of economic importance, then such FRM shall not be certified as tested material.	
Annex V, point 2.				
588	2. REQUIREMENTS FOR GENETIC EVALUATION OF THE COMPONENTS OF BASIC MATERIAL	2. REQUIREMENTS FOR GENETIC EVALUATION OF THE COMPONENTS OF BASIC MATERIAL	2. REQUIREMENTS FOR GENETIC EVALUATION OF THE COMPONENTS OF BASIC MATERIAL	
Annex V, point 2.(a)				
589	(a) The components of the following basic material may be genetically evaluated: seed orchards, parents of family(ies), clones and clonal mixtures.	(a) The components of the following basic material may be genetically evaluated: seed orchards, parents of family(ies), clones and clonal mixtures.	(a) The components of the following basic material may be genetically evaluated: seed orchards, parents of family(ies), clones and clonal mixtures.	
Annex V, point 2(b)				
590	Documentation	<u>(b)</u> Documentation	(b) Documentation	
Annex V, point 2(b) first paragraph				
591	The following additional	The following additional	The following additional	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	documentation shall be required for approval of the basic material providing information about:	documentation shall be required for approval of the basic material providing information about:	documentation shall be required for approval of the basic material providing information about:	
Annex V, point 2(b)(i)				
592	(i) the identity, origin and pedigree of the evaluated components;	(i) the identity, origin and pedigree of the evaluated components;	(i) the identity, origin and pedigree of the evaluated components;	
Annex V, 2(b)(ii)				
593	(ii) the crossing design used to produce the FRM used in the evaluation tests.	(ii) the crossing design used to produce the FRM used in the evaluation tests.	(ii) the crossing design used to produce the FRM used in the evaluation tests.	
Annex V, point 2(c)				
594	Test procedures	<u>(c)</u> Test procedures	(c) Test procedures	
Annex V, point 2(c), first paragraph				
595	The following requirements shall be met:	The following requirements shall be met:	The following requirements shall be met:	
Annex V, point 2(c)(i)				
596	(i) The genetic value of each component shall be estimated in two or more evaluation test-sites, at least one of which shall be in an environment relevant for the intended deployment area of the FRM.	(i) The genetic value of each component shall be estimated in two or more evaluation test-sites, at least one of which shall be in an environment relevant for the intended deployment area of the FRM.	(i) The genetic value of each component shall be estimated using information from two or more evaluation test-sites, at least one of which shall be in an environment relevant for the intended deployment area of the FRM.	
Annex V, point 2(c)(ii)				
597	(ii) The test period shall be of sufficient duration for the tested	(ii) The test period shall be of sufficient duration for the tested	(ii) The test period shall be of sufficient duration for the tested	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	characteristics to be expressed.	characteristics to be expressed.	characteristics to be expressed.	
Annex V, point 2(c)(iii)				
598	(iii) The estimated superiority of the FRM to be marketed shall be calculated on the basis of these genetic values and the specific crossing design.	(iii) The estimated superiority of the FRM to be marketed shall be calculated on the basis of these genetic values and the specific crossing design.	(iii) The estimated superiority of the FRM to be marketed shall be calculated on the basis of these genetic values and the specific crossing design.	
Annex V, point 2(3)(iv)				
599	(iv) Evaluation tests and genetic calculations shall be approved by the competent authority.	(iv) Evaluation tests and genetic calculations shall be approved by the competent authority.	(iv) Evaluation tests and genetic calculations shall be approved by the competent authority.	
Annex V, point 2(d)				
600	(d) Interpretation	(d) Interpretation	(d) Interpretation	
Annex V, point 2(d)(i)				
601	(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 professional operator shall define the reference population in the breeding program and describe this <u>reference population shall be defined and described</u> 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 professional operator shall define the reference population in the breeding program programme and describe this reference population in the test reports.	
Annex V, point 2(d)(ii)				
602	(ii) It shall be stated whether the estimated genetic value of the	(ii) It shall be stated whether the estimated genetic value of the	(ii) It shall be stated whether the estimated genetic value of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	FRM is inferior to the reference population for any important characteristic.	FRM is inferior to the reference population for any important characteristic.	FRM is inferior to the reference population for any important characteristic.	
Annex V, point 3.				
603	3. REQUIREMENTS FOR COMPARATIVE TESTING OF FRM	3. REQUIREMENTS FOR COMPARATIVE TESTING OF FRM	3. REQUIREMENTS FOR COMPARATIVE TESTING OF FRM	
Annex V, point 3.(a)				
604	(a) Sampling of the FRM	(a) Sampling of the FRM	(a) Sampling of the FRM	
Annex V, point 3.(a)(i)				
605	(i) The sample of the FRM for comparative testing shall be truly representative of the FRM derived from the basic material to be approved.	(i) The sample of the FRM for comparative testing shall be truly representative of the FRM derived from the basic material to be approved.	(i) The sample of the FRM for comparative testing shall be truly representative of the FRM derived from the basic material to be approved.	
Annex V, point 3.(a)(ii), first subparagraph				
606	(ii) Sexually produced FRM for comparative testing shall be:	(ii) Sexually produced FRM for comparative testing shall be:	(ii) Sexually produced FRM for comparative testing shall be:	
Annex V, point 3.(a)(ii), first subparagraph, first indent				
607	- harvested in years of good flowering and good fruit/seed production, and	- harvested in years of good flowering and good fruit/seed production, and	- harvested in years of good flowering and good fruit/seed production, and	
Annex V, point 3.(a)(ii), first subparagraph, second indent				
608	- harvested by methods that ensure that the samples obtained are representative.	- harvested by methods that ensure that the samples obtained are representative.	- harvested by methods that ensure that the samples obtained are representative.	
Annex V, point 3.(a)(ii), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
609	Artificial pollination may be utilised for the production of such FRM.	Artificial pollination may be utilised for the production of such FRM.	Artificial pollination may be utilised for the production of such FRM.	
Annex V, point 3(b)				
610	(b) Standards	(b) Standards	(b) Standards	
Annex V, point 3(b)(i)				
611	(i) The performance of standards used for comparative purposes in the tests shall, if possible, be known over a sufficiently long period in the region in which the test is to be carried out. The standards represent, in principle, basic material that has been shown to be useful for the intended purpose for forestry at the time that the test starts, and in ecological conditions for which it is proposed to certify the FRM. The standards used for comparative purposes in the tests shall be, as far as possible:	(i) The performance of standards used for comparative purposes in the tests shall, if possible, be known over a sufficiently long period in the region in which the test is to be carried out. The standards represent, in principle, basic material that has been shown to be useful for the intended purpose for forestry at the time that the test starts, and in ecological conditions for which it is proposed to certify the FRM. The standards used for comparative purposes in the tests shall be, as far as possible:	(i) The performance of standards used for comparative purposes comparison in the tests shall, if possible, be known over a sufficiently long period in the region in which the test is to be carried out. The standards represent, in principle, basic material that has been shown to be useful for the intended relevant purpose for forestry at the time that the test starts, and in ecological conditions for which it is proposed to certify the FRM. The standards used for comparative purposes comparison in the tests shall be, as far as possible:	
Annex V, point 3(b)(i), first indent				
612	- stands selected according to the criteria in Annex III; or	- stands selected according to the criteria in Annex III; or	- stands selected according to the criteria in Annex III; or	
Annex V, point 3(b)(i), second indent				
613	- basic material officially approved for the production of FRM of the tested category.	- basic material officially approved for the production of FRM of the tested category.	- basic material officially approved for the production of FRM of the tested category.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex V, point 3(b)(ii)				
614	(ii) For comparative testing of artificial hybrids, both parent tree species shall, if possible, be included among the standards.	(ii) For comparative testing of artificial hybrids, both parent tree species shall, if possible, be included among the standards.	(ii) For comparative testing of artificial hybrids, both parent tree species shall, if possible, be included among the standards.	
Annex V, III point 3(b)(iii)				
615	(iii) Several standards shall be used whenever possible. When justified, standards may be replaced by the most suitable of the FRM under test or the mean of the components of the test.	(iii) Several standards shall be used whenever possible. When justified, standards may be replaced by the most suitable of the FRM under test or the mean of the components of the test.	(iii) Several standards shall be used whenever possible. When justified, standards may be replaced by the most suitable of the FRM under test or the mean of the components of the test.	
Annex V, point 3(b)(iv)				
616	(iv) The same standards shall be used in all tests over as wide a range of site conditions as possible.	(iv) The same standards shall be used in all tests over as wide a range of site conditions as possible.	(iv) The same standards shall be used in all tests over as wide a range of site conditions as possible.	
Annex V, point 3(c)				
617	(c) Interpretation	(c) Interpretation	(c) Interpretation	
Annex V, point 3(c)(i)				
618	(i) A statistically significant superiority as compared with the standards shall be demonstrated for at least one important characteristic.	(i) A statistically significant superiority as compared with the standards shall be demonstrated for at least one important characteristic.	(i) A statistically significant superiority as compared with the standards shall be demonstrated for at least one important characteristic.	
Annex V, point 3(c)(ii)				
619	(ii) The professional operator shall report if there are any characteristics of economic or environmental importance which	(ii) The professional operator operator It shall report be reported if there are any characteristics of economic or environmental	(ii) The professional operator operator It shall report be reported if there are any characteristics of economic or environmental importance which	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	show significantly inferior results to the standards, and their effects shall be compensated for by favourable characteristics.	importance which show significantly inferior results to the standards, and their effects shall be compensated for by favourable characteristics.	show significantly inferior results to the standards, and their effects shall be compensated for by favourable characteristics.	
Annex V, point 4.				
620	4. PROVISIONAL APPROVAL	4. PROVISIONAL APPROVAL	4. PROVISIONAL APPROVAL	
Annex V, point 4., first subparagraph				
621	Preliminary assessment of young trials may be the basis for provisional approval. Claims of superiority based on an early assessment shall be re-examined at a maximum interval of ten years.	Preliminary assessment of young trials may be the basis for provisional approval. Claims of superiority based on an early assessment shall be re-examined at a maximum interval of ten years.	Preliminary assessment of young trials may be the basis for provisional approval. Claims of superiority based on an early assessment shall be re-examined at a maximum interval of ten years.	
Annex V, point 5.				
622	5. EARLY TESTS	5. EARLY TESTS	5. EARLY TESTS	
Annex V, point 5., first subparagraph				
623	Nursery, greenhouse and laboratory tests may be accepted by the competent authority for provisional approval or for final approval, if it can be shown that there is a close correlation between the measured characteristic and the characteristics normally assessed in forest stage tests. Other characteristics to be tested shall meet the requirements set out in point 3.	Nursery, greenhouse and laboratory tests may be accepted by the competent authority for provisional approval or for final approval, if it can be shown that there is a close correlation between the measured characteristic and the characteristics normally assessed in forest stage tests. Other characteristics to be tested shall meet the requirements set out in point 3.	Nursery, greenhouse and laboratory tests may be accepted by the competent authority for provisional approval or for final approval, if it can be shown that there is a close correlation between the measured target characteristic and the characteristics normally assessed in forest stage tests. Other characteristics to be tested shall meet the requirements set out in point 3.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex VI				
624	Annex VI	Annex VI	Annex VI	
Annex VI, first paragraph				
625	CATEGORIES UNDER WHICH FRM FROM THE DIFFERENT TYPES OF BASIC MATERIAL MAY BE MARKETED	CATEGORIES UNDER WHICH FRM FROM THE DIFFERENT TYPES OF BASIC MATERIAL MAY BE MARKETED	CATEGORIES UNDER WHICH FRM FROM THE DIFFERENT TYPES OF BASIC MATERIAL MAY BE MARKETED	
Annex VI, Table 2				
626	Table 2	Table 2	Table 2	
Annex VII				
627	Annex VII	Annex VII	Annex VII	
Annex VII, first paragraph				
628	Amendment of Annex VII to Regulation (EU) 2016/2031	Amendment of Annex VII to Regulation (EU) 2016/2031	Amendment of Annex VII to Regulation (EU) 2016/2031	
Annex VII, second paragraph				
629	In Annex VII to Regulation (EU) 2016/2031, the following parts are added:	In Annex VII to Regulation (EU) 2016/2031, the following parts are added:	In Annex VII to Regulation (EU) 2016/2031, the following parts are added:	
Annex VII, second paragraph, amending provision, first paragraph				
630	‘ PART G	‘ PART G	‘ PART G E	
Annex VII, second paragraph, amending provision, second paragraph				
631	Plant passports for movement within the Union territory, combined with the official label, as referred to in Article 83(5), second subparagraph	Plant passports for movement within the Union territory, combined with the official label, as referred to in Article 83(5), second subparagraph	Plant passports for movement within the Union territory, combined with the official label, as referred to in Article 83(5), second subparagraph	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex VII, second paragraph, amending provision, numbered paragraph (1)				
632	(1) The plant passport for movement within the Union territory, combined in a joint label with the official label referred to in Article 83(5), shall contain the following elements:	(1) The plant passport for movement within the Union territory, combined in a joint label with the official label referred to in Article 83(5), shall contain the following elements:	(1) The plant passport for movement within the Union territory, combined in a joint label with the official label referred to in Article 83(5), shall contain the following elements:	
Annex VII, second paragraph, amending provision, numbered paragraph (1), point (a)				
633	(a) the words ‘Plant Passport’ in the upper right-hand corner of the joint label, in one of the official languages of the Union and in English, if different, separated by a slash;	(a) the words ‘Plant Passport’ in the upper right-hand corner of the joint label, in one of the official languages of the Union and in English, if different, separated by a slash;	(a) the words ‘Plant Passport’ in the upper right-hand corner of the joint label, in one of the official languages of the Union and in English, if different, separated by a slash;	
Annex VII, second paragraph, amending provision, numbered paragraph (1), point (b)				
634	(b) the flag of the Union in the upper left-hand corner of the joint label printed in colour or in black and white. The plant passport shall be positioned in the joint label immediately above the official label and have the same width as that official label.	(b) the flag of the Union in the upper left-hand corner of the joint label printed in colour or in black and white. The plant passport shall be positioned in the joint label immediately above the official label and have the same width as that official label.	(b) the flag of the Union in the upper left-hand corner of the joint label printed in colour or in black and white. The plant passport shall be positioned in the joint label immediately above the official label and have the same width as that official label.	
Annex VII, second paragraph, amending provision, numbered paragraph (2)				
635	(2) Point (2) of Part A shall apply accordingly.	(2) Point (2) of Part A shall apply accordingly.	(2) Point (2) of Part A shall apply accordingly.	
Annex VII, second paragraph, amending provision, fifth paragraph				
636	PART H	PART H	PART HF	
Annex VII, second paragraph, amending provision, sixth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
637	Plant passports for introduction into and movement within protected zones, combined with the official label, as referred to in Article 83(5), third subparagraph	Plant passports for introduction into and movement within protected zones, combined with the official label, as referred to in Article 83(5), third subparagraph	Plant passports for introduction into and movement within protected zones, combined with the official label, as referred to in Article 83(5), third subparagraph	
Annex VII, second paragraph, amending provision, numbered paragraph (1), first subparagraph				
638	(1) The plant passport for introduction into and movement within protected zones, combined in a joint label with the official label for FRM referred to in Article 83(5), shall contain the following elements:	(1) The plant passport for introduction into and movement within protected zones, combined in a joint label with the official label for FRM referred to in Article 83(5), shall contain the following elements:	(1) The plant passport for introduction into and movement within protected zones, combined in a joint label with the official label for FRM referred to in Article 83(5), shall contain the following elements:	
Annex VII, second paragraph, amending provision, numbered paragraph (1), first subparagraph, point (a)				
639	(a) the words ‘Plant Passport — PZ’ in the upper right-hand corner of the joint label in one of the official languages of the Union and in English, if different, separated by a slash;	(a) the words ‘Plant Passport — PZ’ in the upper right-hand corner of the joint label in one of the official languages of the Union and in English, if different, separated by a slash;	(a) the words ‘Plant Passport — PZ’ in the upper right-hand corner of the joint label in one of the official languages of the Union and in English, if different, separated by a slash;	
Annex VII, second paragraph, amending provision, numbered paragraph (1), first subparagraph, point (b)				
640	(b) immediately underneath those words, the scientific name(s) or code(s) of the protected zone quarantine pest(s) concerned;	(b) immediately underneath those words, the scientific name(s) or code(s) of the protected zone quarantine pest(s) concerned;	(b) immediately underneath those words, the scientific name(s) or code(s) of the protected zone quarantine pest(s) concerned;	
Annex VII, second paragraph, amending provision, numbered paragraph (1), first subparagraph, point (c)				
641	(c) the flag of the Union in the upper left-hand corner of the joint label printed in colour or in black and white.	(c) the flag of the Union in the upper left-hand corner of the joint label printed in colour or in black and white.	(c) the flag of the Union in the upper left-hand corner of the joint label printed in colour or in black and white.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex VII, second paragraph, amending provision, numbered paragraph (1), second subparagraph				
642	The plant passport shall be positioned in the joint label immediately above the official label and have the same width [as that official label.	The plant passport shall be positioned in the joint label immediately above the official label and have the same width [as that official label.	The plant passport shall be positioned in the joint label immediately above the official label and have the same width [as that official label.	
Annex VII, second paragraph, amending provision, numbered paragraph (2)				
643	(2) Point (2) of Part B shall apply accordingly.	(2) Point (2) of Part B shall apply accordingly.	(2) Point (2) of Part B shall apply accordingly.	
Annex VIII				
644	Annex VIII	Annex VIII	Annex VIII	
Annex VIII, first paragraph				
645	Correlation table	Correlation table	Correlation table	
Annex VIII, Table 3				
646	Table 3	Table 3	Table 3	

Commission Proposal Annex I

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

Pinus brutia Ten.	
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EP Mandate Annex I

LIST OF TREE SPECIES

Abies alba Mill.

Abies bornmulleriana

Abies cephalonica Loud

Abies grandis Lindl

Abies pinsapo Boiss.

Acer campestre

Acer platanoides L.

Acer pseudoplatanus L.

Alnus cordata* – *Juglans regia

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

Eucalyptus globulus

Eucalyptus gunnii

Eucalyptus hybride gunnii* x *dalrympleana

Eucalyptus nitens

Fagus sylvatica L.

Fraxinus angustifolia Vahl.

Fraxinus excelsior L.

Juglans major x regia

Juglans nigra

Juglans nigra x regia

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 and artificial hybrids between those species

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.

Council Mandate Annex I

LIST OF TREE SPECIES

Abies alba Mill.

Abies cephalonica Loud

Abies grandis ~~Lindl~~ **(Douglas ex D.Don) Lindl.**

~~Abies pinsapo Boiss.~~

Abies nordmanniana (Steven) Spach

Acer campestre L.

Acer monspessulanum L.

Acer opalus Millna.

Acer platanoides L.

Acer pseudoplatanus L.

Alnus cordata (Loisel.) Duby

Alnus glutinosa **(L.)** Gaertn.

Alnus incana Moench **(L.) Moench**

Alnus lusitanica Vít. Douda & Mandák

Betula pendula Roth

Betula pubescens Ehrh.

Carpinus betulus L.

Carpinus orientalis Mill.

Castanea sativa Mill.

Cedrus atlantica ~~Carr.~~ **(Endl.) G. Manetti ex Carrière**

Cedrus libani ~~A. Richard~~ **A. Rich**

Celtis australis L.

Ceratonia siliqua L.

Chamaecyparis lawsoniana (A. Murray

bis) Parl.

Corylus colurna L.

Cupressus sempervirens Smith

Fagus orientalis Lipsky

Fagus sylvatica L.

Fraxinus angustifolia Vahl.

Fraxinus excelsior L.

Fraxinus ornus L

Juglans spp.

Larix decidua ~~Mill.~~ **(L.) Mill.**

~~Larix x eurolepsis Henry~~

Larix kaempferi ~~Carr.~~ **(Lamb.) Carrière**

Larix sibirica Ledeb.

Malus sylvestris (L.) Mill.

Olea europaea L.

Ostrya carpinifolia Scop.

Picea abies **(L.) H.** Karst.

Picea sitchensis Carr. **(Bong.) Carrière**

Pinus brutia Ten.

Pinus canariensis C. Smith

Pinus cembra L.

Pinus contorta **Douglas ex** Loudon

Pinus halepensis Mill.

Pinus leucodermis Antoine

Pinus heldreichii H.Christ

Pinus mugo Turra

Pinus nigra ~~Arnold~~ **J. F. Arnold**

Pinus peuce Griseb.

Pinus pinaster ~~Ait.~~ **Aiton**

Pinus pinea L.

Pinus radiata D. Don

Pinus sylvestris L.

Pinus taeda L

Pinus uncinata Mill. ex Mirb

Populus spp ~~and artificial hybrids between those species~~

Prunus avium L.

Prunus padus L.

Pseudotsuga menziesii ~~Franco~~ **(Mirb.) Franco**

Pyrus pyrastra (L.) Burgsd.

Quercus cerris L.

Quercus frainetto Ten.

Quercus ilex L.

Quercus petraea ~~Liebl.~~ **(Matt.) Liebl.**

Quercus pubescens Willd.

Quercus robur L.

Quercus rubra L.

Quercus suber L.

Robinia pseudoacacia L

Salix alba L.

Sorbus aria (L.) Crantz

Sorbus aucuparia L.

Sorbus domestica L.

Sorbus torminalis (L.) Crantz

Taxus baccata L.

Thuja plicata Donn ex D.Don.

Tilia cordata Mill

Tilia tomentosa Moench

Tilia platyphyllos Scop.

Ulmus glabra Huds

Ulmus laevis Pall.

Ulmus minor Mill

Council Mandate Annex III

		<u>Purposes</u>		
		<u>Multifunctional forestry</u>	<u>Production of wood, biomaterials, biomass or other forest products</u>	<u>Conservation of forest genetic resources</u>
Specific requirements	<u>Isolation</u>	<u>x</u>	<u>x</u>	<u>x</u>
	<u>Number of harvestable and sexually mature trees</u>	<u>x</u>	<u>x</u>	<u>x</u>
	<u>Uniformity</u>	<u>x</u>	<u>x</u>	<u>x</u>
	<u>Sustainability characteristics</u>	<u>x</u>	<u>x</u>	<u>x</u>
	<u>Volume production</u>	<u>x</u>	<u>x</u>	
	<u>Wood quality</u>	<u>x</u>		
	<u>Form or growth habit</u>	<u>x</u>		
	<u>Additional requirements (specific traits or products)</u>	<u>If necessary</u>	<u>If necessary</u>	<u>If necessary</u>

Commission Proposal Annex VI

Basic material	Category of FRM (Label colour, if coloured official label used)			
	Source-identified (Yellow)	Selected (Green)	Qualified (Pink)	Tested (Blue)
Seed source	x			
Stand	x	x		x
Seed orchard			x	x
Parents of family(ies)			x	x
Clone			x	x
Clonal mixture			x	x

EP Mandate Annex VI

Basic material	Category of FRM (Label colour, if coloured official label used)			
	Source-identified (Yellow)	Selected (Green)	Qualified (Pink)	Tested (Blue)
Seed source	x			
Stand	x	x		x
Seed orchard			x	x
Parents of family(ies)			x	x
Clone			x	x
Clonal mixture			x	x

Council Mandate Annex VI

Basic material	Category of FRM (Label colour, if coloured official label used)			
	Source-identified (Yellow)	Selected (Green)	Qualified (Pink)	Tested (Blue)
Seed source	x			
Stand	x	x		x
Seed orchard			x	x
Parents of family(ies)			x	x
Clone			x	x
Clonal mixture			x	x

Commission Proposal Annex VIII

Council Directive 1999/105/EC	This Regulation
Article 1	Article 1, subparagraph 1
Article 2	Article 3
Article 3(1)	Article 2(1)
Article 3(2)	Article 2(5)
Article 3(3)	<input type="checkbox"/>
Article 3(4)	Article 2(4), point (c)
Article 4(1)	Article 4(1)
Article 4(2), point (a)	Article 4(2), subparagraphs 1 to 4
Article 4(2), point (b)	Article 4(2), subparagraph 7 and Article 4(3)
Article 4(3), point (a)	Article 4(4)
Article 4(3), point (b)	Article 4(5)
Article 4(4)	Articles 6 and 18
Article 4(5)	Article 21
Article 5	<input type="checkbox"/>
Article 6(1)	Article 5(1)
Article 6(2)	Article 5(2)
Article 6(3), subparagraph 1	Article 8(1)
Article 6(3), subparagraph 2	Article 8(2)
Article 6(4)	Article 10(1)
Article 6(5), point (a)	Article 2(4), point (d)
Article 6(5), point (b)	<input type="checkbox"/>
Article 6(6)	<input type="checkbox"/>
Article 6(7)	Article 7

Article 6(8)	Article 4(6)
Article 7	Article 23
Article 8	<input type="checkbox"/>
Article 9	Article 11
Article 10	Article 12
Article 11	Article 13
Article 12	Article 14
Article 13	Article 15
Article 14(1), subparagraph 1	Article 16(1)
Article 14(1), points (a) to (e)	Article 16(4)
Article 14(2) to (6)	<input type="checkbox"/>
Article 14(7)	Article 15(1)(j)
Article 15	Article 17
Article 16	Article 31
Article 17	<input type="checkbox"/>
Article 18	Article 21
Article 19	Article 24
Article 20	<input type="checkbox"/>
Article 21	Article 22
Article 22	Article 5(1)(g)
Article 23	Articles 2(2), 4(2), 4(6), 5(3)
Article 24	Articles 14(1), 14(5), 16(5), 16(6), 18(4), 21(3), 22(1), 23(1)
Article 25	Article 26
Article 26	Article 27
Article 27	<input type="checkbox"/>
Article 28	<input type="checkbox"/>

Article 29	Article 32
Article 30	Article 33
Annex I	Annex I
Annex II	Annex II
Annex III	Annex III
Annex IV	Annex IV
Annex V	Annex V
Annex VI	Annex VI
Annex VII	Article 8
Annex VIII	Article 14

EP Mandate Annex VIII

Council Directive 1999/105/EC	This Regulation
Article 1	Article 1, subparagraph 1
Article 2	Article 3
Article 3(1)	Article 2(1)
Article 3(2)	Article 2(5)
Article 3(3)	□
Article 3(4)	Article 2(4), point (c)
Article 4(1)	Article 4(1)
Article 4(2), point (a)	Article 4(2), subparagraphs 1 to 4
Article 4(2), point (b)	Article 4(2), subparagraph 7 and Article 4(3)
Article 4(3), point (a)	Article 4(4)
Article 4(3), point (b)	Article 4(5)
Article 4(4)	Articles 6 and 18
Article 4(5)	Article 21
Article 5	□
Article 6(1)	Article 5(1)
Article 6(2)	Article 5(2)
Article 6(3), subparagraph 1	Article 8(1)
Article 6(3), subparagraph 2	Article 8(2)
Article 6(4)	Article 10(1)
Article 6(5), point (a)	Article 2(4), point (d)
Article 6(5), point (b)	□
Article 6(6)	□
Article 6(7)	Article 7

Article 6(8)	Article 4(6)
Article 7	Article 23
Article 8	<input type="checkbox"/>
Article 9	Article 11
Article 10	Article 12
Article 11	Article 13
Article 12	Article 14
Article 13	Article 15
Article 14(1), subparagraph 1	Article 16(1)
Article 14(1), points (a) to (e)	Article 16(4)
Article 14(2) to (6)	<input type="checkbox"/>
Article 14(7)	Article 15(1)(j)
Article 15	Article 17
Article 16	Article 31
Article 17	<input type="checkbox"/>
Article 18	Article 21
Article 19	Article 24
Article 20	<input type="checkbox"/>
Article 21	Article 22
Article 22	Article 5(1)(g)
Article 23	Articles 2(2), 4(2), 4(6), 5(3)
Article 24	Articles 14(1), 14(5), 16(5), 16(6), 18(4), 21(3), 22(1), 23(1)
Article 25	Article 26
Article 26	Article 27
Article 27	<input type="checkbox"/>
Article 28	<input type="checkbox"/>

Article 29	Article 32
Article 30	Article 33
Annex I	Annex I
Annex II	Annex II
Annex III	Annex III
Annex IV	Annex IV
Annex V	Annex V
Annex VI	Annex VI
Annex VII	Article 8
Annex VIII	Article 14

Council Mandate Annex VIII

Council Directive 1999/105/EC	This Regulation
Article 1	Article 1, subparagraph 1
Article 2	Article 3
Article 3(1)	Article 2(1)
Article 3(2)	Article 2(5)
Article 3(3)	□
Article 3(4)	Article 2(4), point (c)
Article 4(1)	Article 4(1)
Article 4(2), point (a)	Article 4(2), subparagraphs 1 to 4
Article 4(2), point (b)	Article 4(2), subparagraph 7 and Article 4(3)
Article 4(3), point (a)	Article 4(4)
Article 4(3), point (b)	Article 4(5)
Article 4(4)	Articles 6 and 18
Article 4(5)	Article 21
Article 5	□
Article 6(1)	Article 5(1)
Article 6(2)	Article 5(2)
Article 6(3), subparagraph 1	Article 8(1)
Article 6(3), subparagraph 2	Article 8(2)
Article 6(4)	Article 10(1)
Article 6(5), point (a)	Article 2(4), point (d)
Article 6(5), point (b)	□
Article 6(6)	□
Article 6(7)	Article 7

Article 6(8)	Article 4(6)
Article 7	Article 23
Article 8	<input type="checkbox"/>
Article 9	Article 11
Article 10	Article 12
Article 11	Article 13
Article 12	Article 14
Article 13	Article 15
Article 14(1), subparagraph 1	Article 16(1)
Article 14(1), points (a) to (e)	Article 16(4)
Article 14(2) to (6)	<input type="checkbox"/>
Article 14(7)	Article 15(1)(j)
Article 15	Article 17
Article 16	Article 31
Article 17	<input type="checkbox"/>
Article 18	Article 21
Article 19	Article 24
Article 20	<input type="checkbox"/>
Article 21	Article 22
Article 22	Article 5(1)(g)
Article 23	Articles 2(2), 4(2), 4(6), 5(3)
Article 24	Articles 14(1), 14(5), 16(5), 16(6), 18(4), 21(3), 22(1), 23(1)
Article 25	Article 26
Article 26	Article 27
Article 27	<input type="checkbox"/>
Article 28	<input type="checkbox"/>

Article 29	Article 32
Article 30	Article 33
Annex I	Annex I
Annex II	Annex II
Annex III	Annex III
Annex IV	Annex IV
Annex V	Annex V
Annex VI	Annex VI
Annex VII	Article 8
Annex VIII	Article 14