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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Genetic Resources and Innovation in Agriculture (Seeds, Propagating and Planting Materials)
N° prev. doc.:	16273/24
N° Cion doc.:	11503/23 + ADD 1
Subject:	Regulation on forest reproductive material - Request for contributions on the incoming Polish Presidency alternative proposal for the provisions on official controls and other articles - comments from BE

Delegations will find in Annex comments on Recitals, Articles 2, 4, 5b, 8, 9a, 9b, 9c, 10, 16, 17, 26, 28, Annexes I-IV of the revised Presidency text (as in document 16273/24) submitted by the Belgian delegation.

Regulation on Forest Reproductive Material

Request for contributions on the incoming Polish Presidency alternative proposal for the provisions on official controls and other articles (WK 16304/2024 INIT)

General comments on the new OCR approach

We thank the Polish Presidency for this new compromise proposal between the BE/HU proposal and the DE/AT/SP proposal.

Belgium is not in favour of a disconnection of the FRM Regulation from the Official Controls Regulation (OCR) and still **supports the proposed solution in the latest HU presidency text (ST 16273/24)**.

Nevertheless, without prejudice of the Belgium position, and in order to give constructive comments on a text disconnecting OCR and FRM regulations, we think that a text addressing the different useful topics of the OCR, as proposed by the PL Presidency would be better suited than a shorter text as proposed by DE/AT/SP.

However, Belgium is not convinced that copying and slightly adapting some OCR-articles, as is done in this new version, is the best way to go: it would be more efficient to look for example in the Animal Breeding Regulation ((EU) 2016/1012) for inspiration on how to add provisions on official controls without referring to the OCR. This should avoid confusion such as, for example, the definition of competent authorities which is copied from the OCR in this Polish proposal while the FRM text already contains a definition on which a compromise has been reached.

Comments on the latest Hungarian Presidency text (ST 16273/24)

Art. 2 (4) (c) - regarding the inclusion of export to third countries in the regulation

We do not agree with the addition of export: it is up to the receiving country to set up requirements for the material they would like to import, like done in other legislations.

Art. 2 (4) (d) - regarding the registration of FRM and persons by the competent authorities (related to official testing, scientific purposes or selection work)

We would like to delete the registration of persons, because it is impossible to register everybody involved in scientific research, breeding, ...

Art 15(1)(f): *no comment is asked on this article. However we would like to draw the attention on the following* : "register reference **or if appropriate, identity code for region of provenance**". In the case of mixtures of different stands from a same region of provenance, we cannot indicate the register reference and therefore use the identity code for region of provenance (which is the same for a mixture).

Art. 16 - regarding the scope of data on the official label and in the operator's document

Art 16(4a) point (b): Now the elements of Art 16 paragraph 4, being the elements of article 15(1), are mentioned twice since Art 16(4a)(b) refers to article 15(1) as well.

Art 16(4a) point (fa): Date of issuing the operator's document and date of delivery is not the same. We would like to keep date of delivery in the operator's document.

Annexes II, III, IV, V - regarding additional criteria for approval of basic material (including for the conservation of forest genetic resources) and maintaining distance from other genetic pool

Annex II point (b): deletion of origin, because it refers to the place where FRM has been growing or from where it has been originally introduced. How it stands in the text now, it refers to basic material being indigenous or non-indigenous.

