



Council of the European Union
General Secretariat

Brussels, 15 January 2025

**Interinstitutional files:
2023/0228 (COD)**

WK 16304/2024 ADD 3

LIMITE

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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 CZ

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 Czech delegation.

Draft

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)

Document code: WK 16304/2024 INIT;

Related document code :16273/24; 11503/23 + ADD 1

We greatly appreciate the work of the previous presidencies to date on amending the draft Regulation, which largely reflected and continues to reflect the expert comments of individual Member States (hereinafter referred to as the MS). The Czech Republic (hereinafter referred to as the "CZ") has from the beginning shared the view that the current regulations concerning plant reproductive material (hereinafter referred to as the "PRM") and forest reproductive material (hereinafter referred to as the "FRM") need to be modernised.

In the area of FRM, the Czech Republic preferred to maintain regulations in the form of Directives, which provide MS with a greater degree of flexibility corresponding to the different natural and socio-economic conditions of individual MS. Nevertheless, we believe that if the Regulation is designed to provide individual MS with a sufficient degree of variability to truly cover all aspects of FRM production and trade, this document can be accepted as a shift in the concept of legislation for FRM.

Replies of the Czech Republic to the questions of the PL PRES on the current wording of the proposal

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

Here, the Czech Republic would recommend that the countries from which FRM is imported based on the OECD certificate of conformity be taken into account. We believe it is right that the same quality as required for import should be maintained when exporting FRM.

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

The Czech Republic has no comments on this article.

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- **Arts. 10, 10a, 10b, 10c - regarding requirements for professional operators and official supervision,**

The Czech Republic has no comments on these articles; the proposal practically corresponds to the Control and Administrative Code of the Czech Republic.

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

We consider the introduction of labels to be uneconomical and unsystematic, especially since each of the above-mentioned business units must also be provided with a plant health passport, i.e. another label.

We consider it sufficient that the delivery is provided with a distributor's document (accompanying document), which contains more information about the material than the intended official label. Each business unit should be marked with an official label, which, given the volumes of material distributed from nursery operations to customers, would mean - increased costs for the distributor to print the official label, the need to increase the number of workers who would provide individual business units with a label, and an extension of the distribution period. At the same time, the official label should be made of a material that can withstand damage at least during transport and subsequent planting at the designated location. **We assume that this condition will be met by labels made of durable material (most often plastic or paper resistant to water and**

mechanical damage), similar to the phytosanitary passports placed on fruit and ornamental trees. Given that the volume of material planted in forests is significantly higher than most plantings of ornamental or fruit trees, the number of labels removed will also be relatively high. This will create an obligation to dispose of waste in accordance with the relevant regulations and the subsequent need for inspection.

- **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.**

The Czech Republic has no comments on Annexes II to V.

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Presidency revised text

Document code: 16227/204

Related document code: WK 14357/2024; 11503/23 + ADD 1

Changes compared to the previous Presidency revised text (WK 14357/2024) only concern Articles 1, 7 and 23.

The Czech Republic has no comments on these amendments.