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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 FI

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 Finish delegation.

Regulation on Forest Reproductive Material – Comments from Finland

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 the new compromise text.

Finland is not in favor of a disconnection of the FRM Regulation from the Official Controls Regulation (OCR) and supports the proposed solution in the latest HU Presidency text (ST 16273/241). We think that OCR creates a solid general and coherent framework for control activities in the EU. We believe that the Hungarian text, which excludes articles unsuitable for the FRM sector, is clear. We think it is not necessary to repeat the applicable OCR articles in the FRM Regulation. This also facilitates the work of inspectors who conduct inspections in multiple sectors, such as FRM, PRM, and Plant Health.

We are particularly concerned about how the information systems could be implemented without a link to the OCR regulation. Could the Presidency clarify how the integration to the FRM sector would be done without common legislation related to the systems. It remained unclear to us which IT systems the Presidency is referring to. How would the development and integration of systems across different sectors take place in practice?

Comments on articles

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

Finland is of that opinion that export should be excluded from the scope of the regulation. It is the responsibility of the receiving country to establish requirements for the material they wish to import, as is done in other EU Regulations.

- 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 do not agree with the suggestion that FRM and the persons using it for testing, scientific purposes, or selection work should be registered. Is it even feasible to first state that it is out of the scope and then regulate it? This would require us to establish a new personal register for all persons in the field working in universities, colleges, and research institutions, and these entities would be required to report on their work with FRM. This represents a significant change from the current situation and would greatly increase the administrative burden.

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

The point 1 d in article 10; It is not clear to us what is meant by “receipts”. There are at least two translations for this word. Does it mean “receiving FRM”? We do not wish to keep records on proofs of payments. Also, we are wondering what kind of information needs to be given to the

competent authority on this point 1 d. The responsibilities of the operator have to be stated very clearly.

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

Finland supports the Hungarian text. We do not want any changes to it.

- 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.

Finland can accept the text.

Indication of those articles that prevent acceptance of the draft regulation and the reasons for nonacceptance.

Finland does not identify any article in the Polish Presidency text (ST 16273/24) that would hinder the acceptance of the draft regulation.