

Importation of forest reproductive material: equivalence principle; inclusion of 'qualified' category and updating names of third country authorities

2012/0172(COD) - 02/07/2012 - Legislative proposal

PURPOSE: to amend Council Decision 2008/971/EC to facilitate trades, in particular the importation of forest reproductive material, and to respond more promptly to marketing requests.

PROPOSED ACT: Decision of the European Parliament and of the Council.

BACKGROUND: Council Decision 2008/971/EC2 provided the list of countries to be recognised for the application of the equivalence principle for importation and determined conditions under which forest reproductive material of the 'source identified' and 'selected' categories produced in those countries is imported in the Union.

The national rules for the certification of forest reproductive material in Canada, Croatia, Norway, Serbia, Switzerland, Turkey and the United States of America provide for an official field inspection to be carried out during the collection and processing of seed and the production of planting stock.

According to those rules, the systems for the approval and registration of basic material and the subsequent production of reproductive material from this basic material should follow the OECD Scheme for the certification of forest reproductive material moving in international trade (OECD Forest seed and plant scheme). In addition, those rules require seed and planting stock of the 'source identified' and 'selected' categories and of the category 'qualified' to be officially certified and the seed packages to be officially closed in accordance with the OECD Forest seed and plant scheme.

An examination of those rules as regards the category 'qualified' has shown that the conditions for approval of basic material satisfy the requirements laid down in Council Directive 1999/105/EC on the marketing of forest reproductive material.

Accordingly, **the Commission considers it appropriate to add the category “qualified” to the 'source identified' and 'selected' categories.**

IMPACT ASSESSMENT: no impact assessment was undertaken.

Member States and stakeholders proposed that the Commission should submit this updating to facilitate trades, in particular the importation of forest reproductive material and to promptly respond to the marketing request in particular for fast growing tree plantations intended for energy/biomass production.

LEGAL BASIS: Article 43(2) of the Treaty on the Functioning of the European Union.

CONTENT: the proposed Decision states that **the rules for certification of forestry material of the category 'qualified'** in Canada, Croatia, Norway, Serbia, Switzerland, Turkey and the United States of America **should be considered as equivalent** to those set out in Directive 1999/105/EC, provided that the conditions set out in Annex II of Decision 2008/971/EC are satisfied as regards seed and planting stocks, are satisfied.

As regards material of the 'qualified' category, those conditions should include, the provision of information on whether the products have been or not genetically modified. Such information should facilitate the application of the requirements set out in Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms and Regulation (EC) No 1831/2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms.

BUDGETARY IMPLICATIONS: the proposal has no implications for the EU budget.