

Production and marketing of forest reproductive material

2023/0228(COD) - 19/05/2026 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a legislative resolution **approving** the Council's position at first reading with a view to the adoption of 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 (EU) 2017/625 of the European Parliament and of the Council and repealing Council Directive 1999/105/EC (FRM Regulation).

The objective of the proposed Regulation on forest reproductive material (FRM) is to replace Council Directive 1999/105/EC by clarifying its scope and updating its provisions. It aims to:

- achieve several key objectives, including ensuring traceability through the harvesting of forest reproductive material from registered parent trees (i.e. basic material) and certifying FRM to guarantee high material quality;
- ensure a level playing field for operators, enhance innovation and the competitiveness within the FRM sector, while addressing sustainability and climate-related challenges;
- adapt to new scientific and technical developments, such as biomolecular techniques and digitalisation, and support the conservation and sustainable use of forest genetic resources;
- improve consistency with existing legislation on official controls and plant health.

Implementation of a new FRM control system

The new Regulation establishes a tailored and efficient control system for forest reproductive material (FRM), excluding it from the scope of the Official Controls Regulation. Member States will be required to designate competent authorities with adequate resources and powers, including access to operator premises and relevant documentation, to perform these controls.

Selected provisions contained in the European Regulation on official controls will be adjusted and included in the FRM Regulation. These provisions will cover areas such as: (i) written records of controls, (ii) official certification, (iii) Commission controls in Member States, (iv) penalties, and (v) transparency of controls.

Reduction of administrative burdens

The new control system aims to ensure reliable monitoring while limiting costs and administrative procedures for Member States.

National contingency plans

Contingency plans will remain voluntary and will be simplified to reduce the administrative burden. The list of elements that may be included has been extended, and the Commission may specify these elements to support the development and implementation of these plans.

Approval and traceability of basic materials

The Council's position maintains the existing principles of approval of 'basic material' and certification of harvested FRM. New provisions stipulate that the Member States must include approved basic material in their national registers, with a corresponding EU-wide list for traceability. Member States may authorise professional operators for approval of basic material for conservation purposes under official supervision, while retaining final decision-making authority regarding its inclusion in national registers.

List of tree species

The list of tree species covered by the regulation is extended to improve the quality of forest management systems in the EU. Member States will retain some flexibility to apply rules adapted to their national circumstances.

Marketing requirements for quality pests

The controls will be risk-based and limited to checking the absence of symptoms, thus reducing the administrative burden. A new definition of 'quality pests' is introduced in the regulation.

Postponement of the application of the regulation

The date of application of the Regulation has been postponed from three to five years after its entry into force, to allow Member States time to adapt and put a new system in place.

Imports from third countries

Participation in the OECD Forest Seed and Plant Scheme is no longer mandatory but may be taken into account by the Commission when assessing whether these FRM meet requirements equivalent to those applicable in the Union. Temporary import may be authorised where a demonstrable shortage of species exists in one or more Member States due to exceptional events.