

Forest reproductive material: marketing (recasting Directives 66/404/EEC, 71/161/EEC)

1999/0092(CNS) - 09/09/2002 - Implementing legislative act

COMMUNITY MEASURE : Commission Regulation 1602/2002/EC laying down detailed rules for the application of Council Directive 1999/105/EC as regards the authorisation of a Member State to prohibit the marketing of specified forest reproductive material to the end-user. CONTENT : in accordance with Directive 1999/105/EC, Member States are to ensure that forest reproductive material which is placed on the market in accordance with the provisions of that Directive is not subject to any marketing restrictions as regards its characteristics, examination and inspection requirements, labelling and sealing other than those laid down in that Directive. Member States may in certain circumstances be authorised to prohibit the marketing to the end-user, with a view to seeding or planting in their territory, of specified forest reproductive material which is unsuitable for use in their territory. Such authorisations should be granted only where there is reason to believe that the use of the forest reproductive material would, on account of its phenotypic or genetic characteristics, have an adverse effect on forestry, environment, genetic resources or biodiversity in the territory of that Member State. In order to allow the Commission to decide in full knowledge of the facts, the application for authorisation should be accompanied by relevant evidence and information concerning, inter alia, the region of provenance or the origin of the forest reproductive material and the results of trials, scientific research and forestry practice. The information required should be specified. In order to assist a Member State to prepare its application, other Member States should provide, on request, all relevant information on the region of provenance or the origin and national lists of basic material for the production of forest reproductive material. A copy of the application should be sent at the same time to the Member State in which the region of provenance or the origin is located, in order to allow that Member State to inform the Commission of its position. The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry. ENTRY INTO FORCE : 29/09/2002.