Basic information

2012/0172(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Decision	Procedure completed
Importation of forest reproductive material: equivalence principle; inclusion of 'qualified' category and updating names of third country authorities **Subject** 3.10.03 Marketing and trade of agricultural products and livestock 3.10.09.06 Agro-genetics, GMOs 3.10.11 Forestry policy 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity 6.20.02 Export/import control, trade defence, trade barriers 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AGRI Agriculture and Rural Development	DE CASTRO Paolo (S&D)	09/07/2012

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	3198	2012-11-13

European Commission

Commission DG	Commissioner
Health and Food Safety	DALLI John

European Economic and Social Committee

Key events

Date	Event	Reference	Summary
02/07/2012	Legislative proposal published	COM(2012)0355	Summary

05/07/2012	Committee referral announced in Parliament, 1st reading		
18/09/2012	Vote in committee, 1st reading		
21/09/2012	Committee report tabled for plenary, 1st reading	A7-0277/2012	Summary
23/10/2012	Decision by Parliament, 1st reading	T7-0367/2012	Summary
23/10/2012	Results of vote in Parliament		
13/11/2012	Act adopted by Council after Parliament's 1st reading		
21/11/2012	Final act signed		
21/11/2012	End of procedure in Parliament		
28/11/2012	Final act published in Official Journal		

Technical information

Procedure reference	2012/0172(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 043-p2
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/7/09981

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A7-0277/2012	21/09/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0367/2012	23/10/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00054/2012/LEX	21/11/2012	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2012)0355	02/07/2012	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_SENATE	COM(2012)0355	13/09/2012	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2012/1104
OJ L 328 28.11.2012, p. 0001 Summary

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

2012/0172(COD) - 21/09/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Agriculture and Rural Development adopted the report by Paolo de Castro (S&D, IT) on the proposal for a decision of the European Parliament and of the Council amending Council Decision 2008/971/EC as regards the inclusion of forest reproductive material of the 'qualified' category within the scope of that Decision and the updating of the name of the authorities responsible for the approval and control of the production.

The committee recommends that the European Parliament adopts its position at first reading taking over the Commission proposal.

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

2012/0172(COD) - 23/10/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 537 votes to 13, with 14 abstentions, a legislative resolution on the proposal for a decision of the European Parliament and of the Council amending Council Decision 2008/971/EC as regards the inclusion of forest reproductive material of the “qualified” category within the scope of that Decision and the updating of the name of the authorities responsible for the approval and control of the production.

Parliament adopted its position at first reading in accordance with the ordinary legislative procedure taking over the Commission proposal.

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

2012/0172(COD) - 21/11/2012 - Final act

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.

LEGISLATIVE ACT: Decision No 1104/2012/EU of the European Parliament and of the Council amending Council Decision 2008/971/EC to include forest reproductive material of the “qualified” category and to update the name of the authorities responsible for the approval and control of the production.

CONTENT: following an agreement reached at first reading with the European Parliament, the Council adopted an amendment to Council Decision 2008/971/EC with a view to **extending the scope of its application to forest reproductive material of the "qualified" category** and to update the list of the authorities responsible for the approval and control of the production.

Council Directive 1999/105/EC on the marketing of forest reproductive material regulates the marketing of such material in the internal market. With the aim of facilitating trade, this Directive enables the Council to lay down the rules for the authorisation of imports of reproductive material from third countries by means of a system of equivalence.

Council Decision 2008/971/EC on the equivalence of forest reproductive material produced in third countries determines the conditions under which forest reproductive material of the "source identified" and "selected" categories, produced in third countries listed in Annex I to that Decision, is to be imported into the Union.

The national rules for the certification of forest reproductive material in Canada, Croatia, Norway, Serbia, Switzerland, Turkey and the United States 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 that 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', 'selected' and 'qualified' categories 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 'qualified' category 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. **It has therefore been decided to add "qualified" category to the categories "identified" and "selected" categories**.

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

As regards material of the 'qualified' category, **those conditions should include the provision of information on whether the products have been genetically modified or not**. Such information should facilitate the application of the requirements set out in Directive 2001/18/EC of the European Parliament and of the Council on the deliberate release into the environment of genetically modified organisms.

In addition, the **names of some authorities responsible** for the approval and control of the production, as listed in Annex I to Decision 2008/971/EC, have changed.

ENTRY INTO FORCE: 01/12/2012.

APPLICATION: from 01/01/2013.

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 1830/2003 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.