





| Basic information | |
|--|--|
| <p>2023/0228(COD)</p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> | <p>Procedure completed, awaiting publication in Official Journal</p> |
| <p>Production and marketing of forest reproductive material</p> <p>Repealing Directive 1999/105 1999/0092(CNS) Amending Regulation 2017/625 2013/0140(COD) Amending Regulation 2016/2031 2013/0141(COD)</p> <p>Subject</p> <p>3.10.03 Marketing and trade of agricultural products and livestock 3.10.09.02 Plant health legislation 3.10.11 Forestry policy 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity</p> | |

| Key players | | | |
|---------------------|---|---|------------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | AGRI Agriculture and Rural Development | DORFMANN Herbert (EPP) | 27/06/2025 |
| | | <p>Shadow rapporteur</p> <p>FRANQUEIRA RODRIGUES André (S&D)</p> <p>RUISSEN Bert-Jan (ECR)</p> <p>WIESNER Emma (Renew)</p> <p>FLANAGAN Luke Ming (The Left)</p> <p>DAVID Ivan (ESN)</p> | |
| | Former committee responsible | Former rapporteur | Appointed |
| | AGRI Agriculture and Rural Development | DORFMANN Herbert (EPP) | 29/08/2023 |
| | Former committee for opinion | Former rapporteur for opinion | Appointed |
| | ENVI Environment, Public Health and Food Safety (Associated committee) | CLERGEAU Christophe (S&D) | 24/10/2023 |
| | Council of the European Union | | |

| | | |
|--|------------------------|---------------------|
| European Commission | Commission DG | Commissioner |
| | Health and Food Safety | KYRIAKIDES Stella |
| European Economic and Social Committee | | |

| Key events | | | |
|------------|---|--|---------|
| Date | Event | Reference | Summary |
| 05/07/2023 | Legislative proposal published | COM(2023)0415  | Summary |
| 19/10/2023 | Committee referral announced in Parliament, 1st reading | | |
| 19/10/2023 | Referral to associated committees announced in Parliament | | |
| 19/03/2024 | Vote in committee, 1st reading | | |
| 21/03/2024 | Committee report tabled for plenary, 1st reading | A9-0142/2024 | |
| 23/04/2024 | Debate in Parliament |  | |
| 24/04/2024 | Decision by Parliament, 1st reading | T9-0342/2024 | Summary |
| 24/04/2024 | Results of vote in Parliament |  | |
| 13/11/2024 | Resumption of business from the previous parliamentary term | | |
| 01/09/2025 | Committee decision to open interinstitutional negotiations after 1st reading in Parliament | | |
| 08/09/2025 | Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72) | | |
| 24/02/2026 | Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations | | |
| 21/04/2026 | Council position published | 17102/1/2025 | |
| 30/04/2026 | Committee referral announced in Parliament, 2nd reading | | |
| 05/05/2026 | Vote in committee, 2nd reading | | |
| 08/05/2026 | Committee recommendation tabled for plenary, 2nd reading | A10-0136/2026 | |
| 19/05/2026 | Decision by Parliament, 2nd reading | T10-0168/2026 | Summary |
| 19/05/2026 | Results of vote in Parliament |  | |
| 20/05/2026 | Final act signed | | |

| Technical information | |
|------------------------|--|
| Procedure reference | 2023/0228(COD) |
| Procedure type | COD - Ordinary legislative procedure (ex-codecision procedure) |
| Procedure subtype | Legislation |
| Legislative instrument | Regulation |
| Amendments and repeals | Repealing Directive 1999/105 1999/0092(CNS) |

| | |
|---|---|
| | Amending Regulation 2017/625 2013/0140(COD) Amending Regulation 2016/2031 2013/0141(COD) |
| Legal basis | Rules of Procedure EP 57_o 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, awaiting publication in Official Journal |
| Committee dossier | AGRI/10/03038 |

Documentation gateway





European Parliament

| Document type | Committee | Reference | Date | Summary |
|---|----------------------|-------------------------------|------------|-------------------------|
| Committee draft report | | PE756.013 | 10/11/2023 | |
| Amendments tabled in committee | | PE757.148 | 05/12/2023 | |
| Amendments tabled in committee | | PE757.120 | 20/12/2023 | |
| Committee opinion | ENVI | PE757.165 | 12/03/2024 | |
| Committee report tabled for plenary, 1st reading/single reading | | A9-0142/2024 | 21/03/2024 | |
| Text adopted by Parliament, 1st reading/single reading | | T9-0342/2024 | 24/04/2024 | Summary |
| Committee draft report | | PE787.674 | 22/04/2026 | |
| Committee recommendation tabled for plenary, 2nd reading | | A10-0136/2026 | 08/05/2026 | |
| Text adopted by Parliament, 2nd reading | | T10-0168/2026 | 19/05/2026 | Summary |

Council of the EU

| Document type | Reference | Date | Summary |
|------------------|--------------------------------|------------|---------|
| Council position | 17102/1/2025 | 21/04/2026 | |
| Draft final act | 00025/2026/LEX | 12/05/2026 | |

European Commission

| Document type | Reference | Date | Summary |
|--|--|------------|-------------------------|
| Legislative proposal | COM(2023)0415  | 05/07/2023 | Summary |
| Document attached to the procedure | SWD(2023)0410  | 06/07/2023 | |
| Document attached to the procedure | SWD(2023)0414  | 06/07/2023 | |
| Document attached to the procedure | SWD(2023)0415  | 06/07/2023 | |
| Commission response to text adopted in plenary | SP(2024)394 | 08/08/2024 | |

| | | | |
|--|--|------------|--|
| Commission communication on Council's position | COM(2026)0149  | 23/04/2026 | |
|--|--|------------|--|

National parliaments

| Document type | Parliament /Chamber | Reference | Date | Summary |
|---------------|---------------------|---------------|------------|---------|
| Contribution | IT_SENATE | COM(2023)0415 | 01/12/2023 | |
| Contribution | IT_CHAMBER | COM(2023)0415 | 13/12/2023 | |

Other institutions and bodies

| Institution/body | Document type | Reference | Date | Summary |
|------------------|--|--------------|------------|---------|
| EESC | Economic and Social Committee: opinion, report | CES3344/2023 | 13/12/2023 | |

Additional information

| Source | Document | Date |
|---------------------|----------|------------|
| EP Research Service | Briefing | 06/02/2024 |
| European Commission | EUR-Lex | |

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

| Transparency | | | | |
|---------------------|------------------------|-----------|------------|--|
| Name | Role | Committee | Date | Interest representatives |
| DORFMANN Herbert | Rapporteur | AGRI | 25/01/2024 | Confederation of European Forest Owners (CEPF) |
| CLERGEAU Christophe | Rapporteur for opinion | ENVI | 27/11/2023 | Union des Coopératives Forestières Françaises |

Other Members

| Transparency | | |
|-----------------------|------------|--------------------------|
| Name | Date | Interest representatives |
| HERRANZ GARCÍA Esther | 10/04/2025 | ASPAPPEL |

Production and marketing of forest reproductive material

2023/0228(COD) - 05/07/2023 - Legislative proposal

PURPOSE: to ensure a harmonised approach with regard to the production and marketing of forest reproductive material (FRM).

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: forests cover some 45% of the land area in the Union and fulfil a multifunctional role that comprises social, economic, environmental, ecological and cultural functions. Forests have a key function as a carbon sink in the climate mitigation policy. High-quality, climate-adapted and diverse FRM is essential to cover these needs.

Council Directive 1999/105/EC sets out rules on the production and marketing of forest reproductive material (FRM Directive). That Directive regulates forest reproductive material which is important for forestry purposes.

FRM refers to seeds, parts of plants and plants and is used for the creation of new forests ('afforestation'), the replanting of areas with trees ('reforestation') and other types of tree planting for different purposes: (i) wood and biomaterials production, (ii) biodiversity conservation, (iii) restoration of forest ecosystems, (iv) climate adaptation, (v) climate mitigation and (vi) conservation and sustainable use of forest genetic resources.

In the years since its adoption, several important developments have taken place, such as the adoption of the European Green Deal, the new EU Strategy on Adaptation to Climate Change, the New EU Forest Strategy for 2030 and the EU Biodiversity Strategy for 2030; and the update of the Rules and Regulations of the Organisation for Economic Co-operation and Development (OECD) Scheme for the Certification of Forest Reproductive Material Moving in International Trade ('OECD Forest Seed and Plant Scheme').

In the light of those developments, the new policy priorities of the EU in relation to sustainability, climate change adaptation and biodiversity, as well as the experience gained during the implementation of Directive 1999/105/EC, it is appropriate to **revise this part of the EU legislation on the production and marketing of forest reproductive material**.

CONTENT: the proposed Regulation lays down rules on the production and marketing of forest reproductive material (FRM) and, in particular, requirements relating to the approval of basic material intended for the production of FRM, the origin and traceability of such basic material, categories of FRM, requirements relating to the identity and quality of FRM, certification, labelling, packaging, imports, professional operators, registration of basic material and national contingency plans.

The proposed regulation replaces Directive 1999/105/EC, clarifying its scope and updating its provisions.

The proposed regulation revises the legislation applicable to the production and marketing of forest reproductive material (FRM) by replacing a marketing directive with a regulation. It is based on two pillars: (i) the harvesting of forest reproductive material from registered parent trees (i.e. basic material) to ensure traceability and (ii) the certification of FRM to guarantee the high quality of the seed.

Scope

The proposed Regulation applies to FRM of species and artificial hybrids, which is used in afforestation, reforestation and other types of tree planting for the purposes of wood and biomaterials production, biodiversity conservation, restoration of forest ecosystems, climate adaptation, climate mitigation, and conservation and sustainable use of forest genetic resources.

Its **general objectives** aim to: (i) ensure a **level playing field** for operators across the EU; (ii) support **innovation and competitiveness** of the EU FRM industry; (iii) contribute to addressing **sustainability, biodiversity and climate-related challenges**.

It has the following **specific objectives**:

- to increase clarity and coherence of the legal framework through simplified, clarified and harmonised basic rules on fundamental principles presented in a modern legal form;
- to enable the uptake of new scientific and technical developments (in particular, innovative production processes, bio-molecular techniques and digital solutions);
- to ensure availability of FRM suitable for future challenges;
- to support the conservation and sustainable use of forest genetic resources.
- to harmonise the framework for official controls on FRM;
- to improve coherence of FRM legislation with the Plant health legislation.

Basic material and categories

Only basic material approved by the competent authorities may be used to produce and market FRM. For the same reason, only FRM derived from such basic material may be placed on the market.

The competent authorities will assess the **sustainability characteristics** of basic material during the procedure for approving that basic material. The characteristics concern the adaptation of the basic material to the local climatic and ecological conditions and the freedom of trees from pests and their symptoms.

The procedure for approving basic material will include the use of bio-molecular techniques as a complementary method, and innovative clonal FRM production techniques.

After FRM is harvested, a **master certificate** will be issued by the competent authorities for all FRM derived from approved basic material. The master certificate may also be issued in electronic form.

Registers of FRM and contingency plans

Each Member State will establish, publish and keep updated, in electronic format, (i) a **national register** of the basic material for the various species and artificial hybrids approved on its territory, and (ii) a **national list**, which should be presented as a summary of the national register. In addition, each Member State must draw up and keep up to date a **contingency plan** to ensure a sufficient supply of FRM to reforest areas affected by extreme weather events, wildfires, disease and pest outbreaks, or other disasters.

Production and marketing of forest reproductive material

2023/0228(COD) - 24/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 416 votes to 61, with 136 abstentions, a legislative resolution on the proposal for 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 2017/625 of the European Parliament and of the Council and repealing Council Directive 1999/105/EC (Regulation on forest reproductive material).

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Subject matter

The proposed Regulation sets out rules concerning the production and marketing of forest reproductive material ('FRM') and in particular requirements for the approval of basic material intended for the production of FRM, the origin and traceability of that basic material, FRM categories, requirements for FRM identity and quality, certification, labelling, packaging, imports, professional operators, the registration of basic material, official controls and the national contingency plans.

This Regulation applies to FRM of the tree species and artificial hybrids, listed in Annex I, with a view to being marketed. It should aim to:

- ensure the production and marketing of **high-quality FRM in the Union** and the correct functioning of the internal market in FRM;
- help create **resilient and productive forests**, conserve biodiversity, prevent the use of invasive species and restore forest ecosystems and their functioning, inter alia, by promoting interspecific and intraspecific genetic variation.

Requirements applicable to the marketing of FRM derived from approved basic material

FRMs of forest tree species and their artificial hybrids listed in Annex I, which are or contain genetically modified organisms, could only be marketed under the following conditions: (i) the material is approved by the competent authority; (ii) it bears a label stating "New genomic techniques".

Production from basic material

Traceability should be ensured from the collection of FRM up to the marketing to the end user.

Professional operators should notify the competent authority of their intention to harvest forest reproductive material prior to harvesting in order to allow the competent authority to organise controls. They should submit to the competent authority records documenting the harvest of the FRM. Removal from the place of harvest is only permitted with a **master certificate**.

Each Member State should establish and update a national list of issued master certificates and make that list available to the Commission and competent authorities.

Packaging

Professional operators should be authorised by the competent authority to issue and print the official label under official supervision for certain species and categories of FRM, if all requirements defined by the competent authority are fulfilled, and after an audit of the competent authority determines they have the necessary competence, infrastructure and resources. That authorisation is necessary due to the official character of the official label and to guarantee the highest possible quality standards for the users of FRM. This will give more flexibility to the professional operators in relation to the subsequent marketing of that FRM. Rules should be set out for the withdrawal or modification of that authorisation.

To maintain the quality of seeds, the **packages** should be designed to become unserviceable once opened, thus ensuring that users are aware of any tampering with the seeds and encouraging them to use the entire content properly, thereby avoiding the seeds being stored incorrectly or used when they are likely to have become spoiled.

Imports from third countries

FRM may be imported from third countries to the Union only if it is established, that it fulfils requirements equivalent to those applicable to FRM produced and marketed in the Union. This is necessary in order to ensure that such imported FRM affords the same level of quality as the FRM produced in the Union. That approach will ensure that FRM imports not only meet Union standards but also that they contribute to plant genetic diversity and sustainability.

Production and marketing of forest reproductive material

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.