

1. INTRODUCTION

1.1 What is the name of your organisation?

Ministry of Agriculture and Forestry, Department of Forestry

1.2 What stakeholder group does your organisation belong to?

Competent Authority (CA) involved in S&PM certification and control; Competent Authority (CA) involved in S&PM variety and material registration

1.2.1 Please specify

1.3 Please write down the address (postal, e-mail, telephone, fax and web page if available) of your organisation

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2. PROBLEM IDENTIFICATION

2.1 Are the problems defined correctly in the context of S&PM marketing?

Yes

2.2 Have certain problems been overlooked?

No

2.2.1 Please state which one(s)

2.3 Are certain problems underestimated or overly emphasized?

Overestimated

2.3.1 Please indicate the problems that have not been estimated rightly

Problem definition is inappropriate for forestry sector. Directive on FRM (1999/105/EC) was revised according to the principles of sustainable forest management in 1999. These principles are still valid. Forest policy lies in the competence of the Member States, but the EU can contribute to the implementation of sustainable forest management (SFM) through common policies, based on the principle of subsidiarity and the concept of shared responsibility. The Directive on FRM functions well and there is low level of administrative burden at the moment when it comes to FRM. There are no such problems why Directive on FRM should be changed. Changes or renewal of the Directive on FRM can not be justified by other sector's needs for reform.

2.4 Other suggestions or remarks

3. OBJECTIVES OF THE REVIEW

3.1 Are the objectives defined correctly in the context of S&PM marketing?

No

3.2 Have certain objectives been overlooked?

Yes

3.2.1 Please state which one(s)

The specific objectives of FRM

3.3 Are certain objectives inappropriate?

Yes

3.3.1 Please state which one(s)

The general objectives are ok for FRM, but the specific objectives are written only for agriculture. The single horizontal legal framework for marketing of S&PM is not applicable for forest reproductive material. The purpose of the Directive on FRM (1999/105/EC) is not to obtain greater productivity, as in other directives. Instead of that, the Directive on FRM consists of measures to ensure that the tree species important for forestry purposes are genetically and phenotypically suited to the site conditions where they are used. According to the Directive, the supplier of the FRM must give sufficient information of origin and quality of FRM in order to make it possible to the forest owner to choose suitable material for forestation. By ensuring this it is possible to obtain added value not only in wood production but also in stability, adaptation, resistance and genetic diversity of forest trees as well as biodiversity of the whole forest ecosystems. Damages caused by the use of non-adapted provenances may be seen only after decades with heavy losses in all values mentioned above. The current objectives, terms and rules of the Directive on FRM should not be changed. The best way to ensure this is to keep the directive separated from the agricultural and horticultural directives.

3.4 Is it possible to have a regime whereby a variety is considered as being automatically registered in an EU catalogue as soon as a variety protection title is granted by CPVO?

No opinion

3.5 If there is a need to prioritise the objectives, which should be the most important ones? (Please rank 1 to 5, 1 being first priority)

Ensure availability of healthy high quality seed and propagating material

Secure the functioning of the internal market for seed and propagating material

4

Empower users by informing them about seed and propagating material

2

Contribute to improve biodiversity, sustainability and favour innovation

Promote plant health and support agriculture, horticulture and forestry

1

3.6 Other suggestions and remarks

The most important objectives of FRM legislation are first and the two last ones.

4. OPTIONS FOR CHANGE

4.1 Are the scenarios defined correctly in the context of S&PM marketing?

No

4.2 Have certain scenarios been overlooked?

Yes

4.2.1 Please state which one(s)

The best solution for forestry is not proposed in any scenario. That would be "no changes". In the field of forestry the best possible choice is to keep the directive 1999/105/EC as such, because it fulfils the short and long run needs of the European forest sector and it is quite recently updated. It is recognised as a standard legislation worldwide.

4.3 Are certain scenarios unrealistic?

No opinion

4.3.1 Please state which one(s) and why

4.4 Do you agree with the reasoning leading to the discard of the "no-changes" and the "abolishment" scenarios?

No

4.5 Other suggestions and remarks

The scenario 'no-changes' is the most suitable for forest reproductive material, but it has been discarded already.

5. ASSESSMENT OF OPTIONS

5.1 Are the impacts correctly analysed in the context of S&PM marketing?

No opinion

5.2 Have certain impacts been overlooked?

No opinion

5.2.1 Please state which one(s)

5.3 Are certain impacts underestimated or overly emphasized?

No opinion

5.3.1 Please provide evidence or data to support your assessment:

5.4 How do you rate the proportionality of a generalised traceability/labelling and fit-for-purpose requirement (as set out in scenario 4)?

No opinion

5.5 How do you assess the possible impact of the various scenarios on your organisation or on the stakeholders that your organisation represents?

Scenario 1

Not relevant

Scenario 2

Not relevant

Scenario 3

Not relevant

Scenario 4

Not relevant

Scenario 5

Not relevant

5.5.1 Please state your reasons for your answers above, where possible providing evidence or data to support your assessment:

The assessment is not relevant for the forest reproductive material / forestry sector at all.

6. ASSESSMENT OF SCENARIOS

6.1 Which scenario or combination of scenarios would best meet the objectives of the

review of the legislation?

Scenario with new features

6.1.1 What are your views with regards to combining elements from the various scenarios into a new scenario?

6.1.1 Please explain the new scenario in terms of key features

An own scenario for FRM - no changes.

6.2 Do you agree with the comparison of the scenarios in the light of the potential to achieve the objectives?

No opinion

6.2.1 Please explain:

7. OTHER COMMENTS

7.1 Further written comments on the seeds and propagating material review:

In the field of forestry the best possible choice is to keep the directive 1999/105/EC as such. This solution isn't proposed in any scenario. The different sectors' terminology should not be misused or mixed in the review. The purpose of the renewal is to make the legislation more simple, but if it goes on like this, it will be much more complicated for the forestry sector as it has been. The administrative burden on forestry sector is already very low and this should not change.

7.2 Please make reference here to any available data/documents that support your answer, or indicate sources where such data/documents can be found:

