



## SUMMARY REPORT OF THE EXPERT GROUP ON LEGISLATION ON PLANT REPRODUCTIVE MATERIAL

### *Section Forest Reproductive Material*

**Sopron (HU), 27-28 APRIL 2016**

Chairperson: Ms Diana Charels

With the exception of Denmark, Greece, Luxembourg, Malta, The Netherlands, Portugal, Romania, and Slovenia all Member States participated in the Expert group on forest reproductive material. Forty-three participants attended the meeting with the aim to discuss ongoing forestry-related issues at European Commission level, Organisation for Economic Co-operation and Development (OECD) and Food and Agricultural Organization of the United Nations (FAO) level.

#### SECTION A Information and/or discussion

##### **A.1. Hungary's Forest Activities.**

There were several presentations on the current practice of clone production, registration, and certification in the country.

##### **A.2. Outcome of the Working party on forest reproductive material, 2-3 June 2015, Riga (Latvia).**

A representative from the European Commission summarised the points addressed at the previous Working party meeting in Riga.

##### **A.3. Exchange of views on the Annexes of Council Directive 1999/105/EC.**

A discussion was launched on the amendment of Annex I to Directive 1999/105/EC upon a French proposal to change the name of *Larix x eurolepis* into *Larix x marschlinsii* following recent developments in taxonomic denomination. Member States' views on the proposed change were divided. Several delegates expressed the need to enlarge the aforementioned Annex I to take into account the diversity of regulated tree species at national level. The Commission representative proposed an adaptation of FOREMATIS to allow Member States to report tree species regulated at national level but not at EU level.

##### **A.4. Commission Implementing Decision on *Pinus radiata* seed from New Zealand.**

The Decision voted on 15 April 2016, which temporarily authorises Spain to approve for marketing seed of the species *Pinus radiata* D. Don imported from New Zealand, was presented. The Spanish delegate enquired about the possibility of adding New Zealand as a non-EU country using Article 19(3) of Council Directive 1999/105/EC as a legal basis. The Commission representative replied that this legal basis can't be used because the material produced in New

Zealand does not satisfy all conditions to be equivalent to forest reproductive material produced in accordance with Directive 1999/105/EC.

#### **A.5. Update from the European Commission.**

A representative from the European Commission presented the state of play of the Plant Health and Official Controls Regulations, and the EU Forest Strategy. Member States were informed about the Emergency Decision 2015/789 on *Xylella fastidiosa*.

#### **A.6. Feedback from Member States on the use of the Forest Reproductive Material Information System (FOREMATIS).**

There was an exchange of views on FOREMATIS. Member States expressed satisfaction with the new information system for uploading of national lists of planted tree species in an autonomous way. Member States would like to have an additional column to provide detailed information about planted tree species. Member States should be enabled to report several tree species within a single Region of provenance. The use of a harmonised coordinate system to determine the location of planted tree species was discussed. The Hungarian delegate mentioned the need for two additional columns to report coordinate data because planted tree species may cover a great surface. The Finnish delegate expressed preference for the European coordinate system. The Commission representative noted that several coordinate systems may be allowed as long as automatic conversion into a standard coordinate system is possible. The Commission representative presented the advantages of having a unique common identifier for each entry in FOREMATIS. Member States were asked to provide feedback on all issues related to FOREMATIS by 26 May 2016.

#### **A.7. Discussion on important OECD issues on Forest Reproductive Material.**

In the Technical Working Group meeting of the OECD Forest Scheme there were technical discussions on OECD guidelines for forest reproductive material traders to increase awareness of specific national/regional legislation for forest reproductive material export to the country or economic area concerned. As a part of the guidelines, examples of specimen certificates and labels were presented. A draft questionnaire on traceability and label security was presented and will be circulated for additional comments in May. A simplified access procedure to the Forest Scheme for those countries which are already OECD Member countries was discussed. In addition to the self-assessment by the OECD Member Country concerned, the European Commission representative proposed a documentary check by an expert group of OECD Member Countries, and, if deemed necessary, a mission to the OECD Member Country concerned. The decision taking body will be further discussed at the Annual meeting.

The OECD Secretariat informed delegates that Paraguay expressed interest in joining the OECD Forest Scheme. In addition, the Secretariat presented the new OECD network environment (ONE) for Delegates to access OECD documents on-line.

The representative of the Department of Agriculture of the Ministry of Agriculture of Hungary gave an overview of Hungarian agriculture, focusing on the main crops, protein-rich crops, fruit and vegetable production, the Hungarian wine sector, seed production, and technological developments. A representative of the National Food Chain Safety Office (NEBIH), the Hungarian National Designated Authority to OECD, provided an overview of the Hungarian Forestry Sector and the FRM certification system. There were presentations by Hungary on the current practice of clone production, and France on the deployment area of forest reproductive material. It was agreed that Hungary will join OECD's sub-working group on clones. The working group will prepare a draft document containing definitions (clone, ortet, ramet), and the procedure for registration and approval of clones. The International Seed Testing Association

(ISTA) representative presented the business plan of the project on the development of an ISTA/OECD Handbook of Seed Testing and Nursery Practices. It will be submitted to the Annual meeting for approval.

**A.8. FAO's 4<sup>th</sup> Intergovernmental Technical Working Group on Forest Genetic Resources.**

The French member of FAO's working group on forest genetic resources informed about the upcoming FAO meeting of the International Technical Working Group on Forest Genetic Resources from 10 to 12 May in Rome. He promised to update Member States after the meeting.

**A.9. Survey programs for pests.**

The Commission presented the EU survey programs for the monitoring of pests available at [http://ec.europa.eu/dgs/health\\_food-safety/funding/cff/plant\\_health/survey-programmes\\_en.htm](http://ec.europa.eu/dgs/health_food-safety/funding/cff/plant_health/survey-programmes_en.htm) and showed the approved programs [http://ec.europa.eu/dgs/health\\_food-safety/funding/cff/docs/cff\\_ph\\_list\\_approved\\_programmes\\_2016\\_en.pdf](http://ec.europa.eu/dgs/health_food-safety/funding/cff/docs/cff_ph_list_approved_programmes_2016_en.pdf)

The Commission explained which tree species are currently monitored.

**A.10. Any other business.**

There was a brief discussion about patents and plant breeders' rights. The Commission representative explained that pursuant to Article 4 of Directive 98/44/EC on the protection of biotechnological inventions the patenting of plant varieties is not allowed. However new plant varieties can be protected by a plant breeder's right provided that they fulfil certain conditions regarding novelty, distinctness, uniformity, and stability.

**A.11 Field visit.**

On the first day of the meeting two clonal collections and clone trials were visited in Kámon Arboretum and Sárvár-Bajti nursery, respectively. In addition, clonal seed orchards of Scots pine, larch, and pedunculate oak in Acsád-Cikota were visited.

Diana Charels