

1. INTRODUCTION

1.1 What is the name of your organisation?

Federal Forest Office - Forest Reproductive Material

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

Austria, 1140 Wien, Hauptstrasse 7 ilse.strohschneider@bfw.gv.at Tel: ++43 / 1 / 87838 - 2223
Fax: ... - 2250 Bundesamt-wald.at (only in German)

2. PROBLEM IDENTIFICATION

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

No

2.2 Have certain problems been overlooked?

Yes

2.2.1 Please state which one(s)

forestry is not agri or horticulture !

2.3 Are certain problems underestimated or overly emphasized?

Underestimated

2.3.1 Please indicate the problems that have not been estimated rightly

forestry is different to agriculture ! Directive 1999/105/EC is in harmonization to OECD Forest Seed and Plant Scheme This Directive is based on the principles of sustainable forest management (SFM)

2.4 Other suggestions or remarks

In the forestry sector there won't be a "reduction of costs and of administrative burden" which is the highest priority for the Commission to create a new "all-inclusive legislation". But in forestry the current situation is not considered as unbearable by the Federal States and companies; other memberstates have the same opinion !

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)

one cannot compare forestry with agri or horti

3.3 Are certain objectives inappropriate?

Yes

3.3.1 Please state which one(s)

Forestry is not agri or horticulture ! There are no "varieties" or DUS, ... or other junk !!

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

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

Empower users by informing them about seed and propagating material

2

Contribute to improve biodiversity, sustainability and favour innovation

1

Promote plant health and support agriculture, horticulture and forestry

3

3.6 Other suggestions and remarks

forestry differs from agri and horticulture ! biodiversity and sustainability; trees are adapted to the site conditions; therefore the memberstates have regions of provenance as a main criteria in their legislation ! NO favour innovation !!!

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 Scenarios are not correct for 27 memberstates concerning forestry !!!

4.3 Are certain scenarios unrealistic?

Yes

4.3.1 Please state which one(s) and why

Forestry does not fit in the review of S&PM !

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

Yes

4.5 Other suggestions and remarks

Directive 1999/105/EC inclusive all regulations should be valid for the next 25 years ! Therefore no change and "isolation" of FRM !!!

5. ASSESSMENT OF OPTIONS

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

No

5.2 Have certain impacts been overlooked?

Yes

5.2.1 Please state which one(s)

forestry is different ! can` t be compared with agri and horti

5.3 Are certain impacts underestimated or overly emphasized?

Underestimated

5.3.1 Please provide evidence or data to support your assessment:

you can` t compare forestry to agri !!!

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

Very negative

Scenario 2

Very negative

Scenario 3

Very negative

Scenario 4

Very negative

Scenario 5

Very negative

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

the Federal Forest Office - FRM does the approval of seed stands, seed orchards and clones, writes the decisions, import licences, keeps the National Register and National List, registers the suppliers and companies, controls the nurseries, issue the OECD-certificates of Provenance, writes the Information documents, does all the legal work !!! The Directive is a frame and the Act of FRM in Austria is stricter as the 1999/105/EC ! Therefore - NO CHANGE; but Scenario 1 is wrong for Forestry in all memberstates !!!

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

leave forestry in "isolation"; keep the old system which is based on OECD and that is international (global market and not small internal European market)

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

No

6.2.1 Please explain:

forestry is not agri !

7. OTHER COMMENTS

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

Forest Reproductive Material is not similar to agricultural crops ! In forest there is a reproduction of the trees in the way of seeds (genetic information) - there is no "propagating material" - it is the wrong word for us foresters !!! In forestry there is no variety, DUS , VCU, CPVO, ...and other abbreviations - forestry needs the Directive 1999/105/EC; that is the best for our internal market ! It works and the 27 memberstates are satisfied ! Leave us foresters in "isolation" !

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:

Federal Forest Office - FRM web page in German do not hesitate to contact me (experience more than 20 years in this sector)

