

## **1. INTRODUCTION**

### **1.1 What is the name of your organisation?**

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### **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; User of S&PM

#### **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?**

No

### **2.2 Have certain problems been overlooked?**

Yes

#### **2.2.1 Please state which one(s)**

Forestry needs a long term approach due to the nature of FRM and necessitates to maintain /increase of biodiversity. It is important for the end user to have the warranty of the identification of the provenance/variety adapted to its environmental planting conditions by a controlled official track all along its production. There is a risk of use of non-adapted-to-site provenances, the damages of which can be detected only after decades with heavy losses for the owners and for the forest ecosystem.

### **2.3 Are certain problems underestimated or overly emphasized?**

Underestimated

#### **2.3.1 Please indicate the problems that have not been estimated rightly**

Non identification of differences between Forest provenances/varieties and agricultural or horticultural ones. The first must be adapted to every particular site and must keep an internal biodiversity in order to adapt themselves to climatic changes and disorders.

### **2.4 Other suggestions or remarks**

The purpose of the 1999-Directive on FRM is different from the agricultural ones. The objectives, terms and rules of this 1999 Directive should stay unchanged. The best way to ensure this is to keep this Directive separated, from those on agriculture & Horticulture.

## **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)**

Forestry differs significantly from agricultural crops and from horticulture, notably by the long life span of live of trees, frequently a century. The control of FRM must be thus be assumed by an official Organism to prevent dramatic errors of adaptation.

### **3.3 Are certain objectives inappropriate?**

No opinion

#### **3.3.1 Please state which one(s)**

### **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**

2

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

1

**Empower users by informing them about seed and propagating material**

4

**Contribute to improve biodiversity, sustainability and favour innovation**

3

**Promote plant health and support agriculture, horticulture and forestry**

5

### **3.6 Other suggestions and remarks**

Absolute need for an official control of FRM from seed to plants and delivery to the end user.

## **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)**

Keep Forest Directive separated from agricultural & horticultural ones.

### **4.3 Are certain scenarios unrealistic?**

Yes

#### **4.3.1 Please state which one(s) and why**

Quite all scenarios for FRM.

### **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 2008 evaluation shows that the 1999-Directive on FRM is still efficient and largely accepted.

Therefore, there is no need of revision.

## **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)**

Directive 199/105/EC on FRM was revised according to the principles of sustainable forest management that are still quite valid. Therefore, any change of this Directive cannot be justified by any agricultural needs.

### **5.3 Are certain impacts underestimated or overly emphasized?**

Underestimated

#### **5.3.1 Please provide evidence or data to support your assessment:**

Lack of control by official bodies of FRM can lead to misadaptation of new plantations and their failure or bad health in the long term ("Wald Sterben"). Identification of FRM (populations) are quite now impossible, especially when genetic diversity is high and necessary to maintain adaptability. It needs thus an official control of the whole chain of production of FRM, from the seed to the plants delivered to the forester.

### **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**

Don't know

#### **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:**

Largely increased risks to get commercialisation to the end user (forest owner) of a non adapted material due to lack of official control at all steps of the production and commercialisation process of the FRM (from seed to plants). Then risk of long standing damages in the multipurpose objectives (wood production, form, wood quality, pest resistance, adaptation). These risks are often visible only after years but can be dramatic with the decay or death of forests! This requests thus an official and efficient Control.

## **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**

We are therefore for a scenario with no change of the Directive on FRM (1999/105/CE) for the welfare and future of our European Forests. The specificity of FRM has to stay apart from agricultural and horticultural rules, notably because of long term span (100 years), multipurpose objectives, conservation of genetic diversity, that are necessary to face climatic changes.

**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:**

As said above, we stay for an unchanged Directive on FRM (1999/105/CE).

**7. OTHER COMMENTS**

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

There is an absolute need to officially control the whole production chain of FRM for which the Directive on FRM (1999/105/CE) is adequate. Control by private where money is involved leads to inevitable cheating at the expense of our forests and our ecosystems. These damages are important and longlasting.

**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:**

Directive on FRM (1999/105/CE).

