RECOMMENDATIONS

COMMISSION RECOMMENDATION

of 14 February 2012

on guidelines for the presentation of the information for the identification of lots of forest reproductive material and the information to be provided on the supplier's label or document

(2012/90/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

(1) Article 13 of Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material [1] lays down the information to be used in order to identify each lot of forest reproductive material (hereinafter 'FRM'). Furthermore Article 14 of that Directive lays down the information to be indicated in the supplier's label or document. However no rules have been established concerning the presentation of this information.

(2) Therefore, the way the information is presented in the supplier's label or document varies significantly across the Union. Several Member States and stakeholders have reported that, due to the use of different languages and forms of presentation, supplier's labels or documents are frequently not understood in the same manner by the stakeholders involved in trade between Member States.

(3) However, Directive 1999/105/EC does not contain a legal basis allowing the Commission to set legally binding provisions aimed at harmonising the suppliers' label or document in order to reduce these difficulties. Therefore, it is appropriate to adopt guidelines recommending a presentation of the information to be provided in the supplier's label or document which facilitates the understanding of this information in all Member States.

(4) In accordance with Article 1 of Commission Regulation (EC) No 1598/2002 of 6 September 2002 laying down detailed rules for the application of Council Directive 1999/105/EC as regards the provision of mutual administrative assistance by official bodies [2], where FRM moves from one Member State to another, the official body of the Member State in which the supplier is based shall provide information to the official body of the Member State in which the recipient is based. This information shall be provided by means of an 'Information Document' in a standardised format as regards the way the information is presented and including, as set out in the Annex to that Regulation, the use of a harmonised code to identify the different items.

(5) Given that no difficulties have been reported concerning the use of this 'Information Document' and that some of the information requested by Article 14 of Directive 1999/105/EC to be indicated in the supplier's label or document is also requested by Article 1 of Regulation (EC) No 1598/2002 for the 'Information Document', it is considered appropriate to recommend the use of a numerical code to identify the different items in the supplier's label or document similar to the one set out in the Annex to Regulation (EC) No 1598/2002.

(6) The sequence and content of the codes set out in these guidelines should however be based on the requirements for the marketing of FRM lots and the content of suppliers' label or document as provided for in Articles 13 and 14 of Directive 1999/105/EC.

(7) These guidelines should take into account the differences referred to in recital 2, to facilitate trade and exchange of information.

(8) The national measures taken by the Member States pursuant to this Recommendation should moreover be established in a transparent manner and should be proportionate to the objective pursued,

HAS ADOPTED THIS RECOMMENDATION:

1. In developing national measures concerning the way the information to be provided by the supplier's label or document as referred to in Article 14 of Directive 1999/105/EC shall be presented, Member States should take into account the guidelines provided in the Annex to this Recommendation.

[1] OJ L 11, 15.1.2000, p. 17.
[2] OJ L 240, 7.9.2002, p. 39.

2. This Recommendation is addressed to the Member States.

Done at Brussels, 14 February 2012.

For the Commission
John DALLI
Member of the Commission

ANNEX

A. **General principles for the establishment of national measures**

1. *Transparency*

National measures concerning the presentation of the information to be provided at the supplier's label or document for the marketing of forest reproductive material (hereinafter 'FRM') should be developed in cooperation with all relevant stakeholders and in a transparent manner. Member States should also ensure cooperation with other Member States to contribute to reducing the difficulties encountered by stakeholders as a consequence of the differences of the ways this information is presented.

2. *Proportionality*

The national measures adopted pursuant to this recommendation should be proportionate to the objective which is pursued, namely the facilitation of the understanding of the information provided in different formats and languages. These measures should avoid any unnecessary burden for forest owners and nurseries.

The choice of measures should take into account the regional and local constraints and characteristics, such as the shape and size of the supplier's and user's enterprises, the marketing access, as well as the local, national, Union and supplier's management practices. They should be proportionate to the level of trades, depending on regional and national specificities and the particular local needs of FRM. These measures could be adopted as national rules, recommendations or guidelines addressed to the suppliers of FRM.

B. **Identification codes corresponding to relevant items of supplier's label or document**

The items to be provided on the supplier's label or document should be presented as listed in the left column of the below table, following the sequence used in Article 13 and Article 14 of Directive 1999/105/EC. Some additional items, under point C may be added, where appropriate, for traceability and information purposes.

Harmonised identification numbers should be used and presented through the numbers and codes listed in the right column of the below table, serving as numerical translations of the corresponding text in the left column. As these numbers are meant to facilitate retrieval and recognition of the information, they should be added to this information without dropping the fully written, or abbreviated, words of the left column, which are normally used on the suppliers' labels or documents.

The relevant harmonised identification code should be written in bold before each item to be provided on the supplier's label or document.

	Number on the supplier's label or document
A. **Requirements as listed in Article 13 of Directive 1999/105/EC**	
Master certificate code and number	**3**
Botanical name	**6**
Category	**8a** 'source identified' **8b** 'selected' **8c** 'qualified' **8d** 'tested'.
Purpose	**10a** 'multifunctional forestry' **10b** 'other'
Type of basic material	**9a** 'seed source' **9b** 'stand' **9c** 'seed orchard' **9d** 'parents of families' **9e** 'clone' **9f** 'clonal mixture'
Register reference or identity code for region of provenance	**11**
Region of provenance — for reproductive material of the 'source-identified' and 'selected' categories or other reproductive material if appropriate	**13**

	Number on the supplier's label or document
If appropriate, whether the origin of the material is autochthonous or indigenous, non-autochthonous or non-indigenous, or unknown	**12a** 'autochthonous/indigenous' **12b** 'non-autochthonous/non-indigenous' **12c** 'unknown'
In the case of seed units, the year of ripening	**17**
Age of planting stock of seedlings or cuttings, whether undercuts, transplants or containerised	**16**
Type of planting stock of seedlings or cuttings, whether undercuts, transplants or containerised	**7a** 'seeds' **7b** 'parts of plants' **7c** 'planting stock (bare root)' **7d** 'planting stock (containers)'
Whether it is genetically modified	**18a** 'yes' **18b** 'no'
B. **Requirements as listed in Article 14 of Directive 1999/105/EC**	
Master certificate number(s) issued under Article 12 of Directive 1999/105/EC or reference to the other document available according to Article 12(3) of that Directive	**3**
Name of supplier	**4**
Quantity supplied	**15**
In the case of reproductive material of the 'tested' category whose basic material is approved under Article 4(5) of Directive 1999/105/EC, the words 'provisionally approved'	**8x**
Whether the material has been vegetatively propagated	**19a** 'yes' **19b** 'no'
In the case of seed, only for quantities above those referred in Article 14(4) of Directive 1999/105/EC	
Purity: the percentage by weight of pure seed, other seed and inert matter of the product marketed as a seed lot	**22**
The germination percentage of the pure seed, or, where germination percentage is impossible or impractical to assess, the viability percentage assessed by reference to a specified method	**23**
The weight of 1 000 pure seeds	**24**
The number of germinable seeds per kilogram of product marketed as seed, or, where the number of germinable seeds is impossible or impractical to assess, the number of viable seeds per kilogram	**25**
In the case of Populus *spp. (part of plants)*	
Class of stem cuttings (EC 1/EC 2)	**26**
Class of sets (N1/N2 – S1/S2)	**27**
C. **Possible additional items for traceability and information purposes**	
Supplier's document number	**1**
Internal (supplier's) number of lot	**1a**

	Number on the supplier's label or document
Date of dispatch of FRM	**2**
Full address of supplier	**4**
Name and address of the receiver	**5**
Country of the region of provenance or of the location	**13**
Origin of basic material if non-autochthonous or non-indigenous	**14**