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**Decree of the Ministry of Agriculture and Forestry on the
marketing of forest reproductive material
(1055/2002)**

Section 1 — *Composition of forest reproductive material*

- (1) Forest reproductive material referred to in section 3(1)(1) of the Act on the Marketing of Forest Reproductive Material (241/2002) comprises the seeds, other seed units, parts of plants, and planting stock of tree species and their artificial hybrids listed in Annex 1 of Council Directive 1999/105/EC on the Marketing of Forest Reproductive Material, hereinafter *the Forest Reproductive Material Directive*.
- (2) In subsection 1 above:
 - 1) *seed units* mean cones, infructescences, fruits and seeds intended for the production of planting stock;
 - 2) *parts of plants* mean stem cuttings, leaf cuttings and root cuttings, long cuttings, buds, layers, roots, scions, embryos and explants intended for micropropagation, and other parts of plants; and
 - 3) *planting stock* means planting stock grown from seed units, parts of plants or natural stock.
- (3) *Lot of planting stocks* means a set of planting stock originating from a single lot of seed or a vegetatively propagated planting stock which has been raised in a delineable area and processed uniformly. Parts of a stand of planting stock that differ in length from another lot of planting stocks may be considered to be a separate lot of planting stock.

Section 2 — *Types of basic material*

The types of basic material laid down in section 3(1)(2) of the Act on the Marketing of Forest Reproductive Material are:

- 1) *seed source*: trees within an area from where the seeds were collected;
- 2) *stand*: a delineated population of trees possessing sufficient uniformity in composition;
- 3) *seed orchard*: a plantation of selected clones or families established for seed production which is isolated or managed so as to avoid or reduce pollination from outside sources;
- 4) *parents of family*: trees meant for seed production that have been pollinated in a controlled fashion or with open pollination so that the parent used as a female has been pollinated with the pollen of one parent (*full sibling*) or more than one identified or unidentified parent (*half sibling*);
- 5) *clone*: a group of individuals derived from a single ortet by vegetative propagation; and
- 6) *clonal mixture*: a mixture of identified clones in defined proportions.

Section 3 — *Categories of basic material and forest reproductive material*

- (1) Basic material used for the production of forest reproductive material is divided into the following categories:
 - 1) *seed source identified*: basic material which comprises a seed source or stand located in a single region of provenance;

- 2) *selected*: basic material which comprises a stand located in a single region of provenance selected on the basis of a phenotype;
 - 3) *qualified*: basic material which comprises seed plantations, parents of family, clones or clonal mixtures whose individuals have been chosen on the basis of phenotype;
 - 4) *tested*: basic material which comprises stands, seed orchards, parents of family, clones and clonal mixtures whose superiority has been demonstrated by comparative tests or on the basis of the breeding value of the individuals.
- (2) Forest reproductive material belongs to the same category as its basic material.

Section 4 — *Maximum production amounts of forest reproductive material*

- (1) An amount of forest reproductive material equivalent to a maximum of four million planting stocks may be produced from a single family of the basic material of the type 'parents of family' referred to in section 2(4) above which belongs to the category *qualified*. The amount of forest reproductive material belonging to the category *tested* produced from basic material of the type parents of family is not restricted.
- (2) In vegetative propagation, a maximum of one million planting stocks of the category *qualified* may be produced from a single ortet; however, the maximum that may be produced with curly birch is two million. The number of planting stocks propagated vegetatively and belonging to the category *tested* is not restricted.

Section 5 — *Requirements concerning registration of basic material intended for vegetative propagation*

Clones and clonal mixtures may be entered in the basic material register compiled in accordance with section 9(2) of the Act on the Marketing of Forest Reproductive Material as follows:

- 1) a single clone and in the case of spruce, downy birch and silver birch also a mixture formed from at least four clones may be entered for all tree species in the category *tested*; and
- 2) a mixture of spruce, downy birch and silver birch formed from at least 11 clones may be entered in the category *qualified*; only individual clones from curly birch and other tree species may be entered in this category.

Section 6 — *Requirements concerning lots of planting stock propagated vegetatively*

- (1) In addition to the requirements laid down in section 7 of the Act on the Marketing of Forest Reproductive Material, lots of planting stocks propagated vegetatively which are produced and marketed in Finland shall meet the following requirements:
 - 1) the percentages of individual clones of planting stocks propagated from a clonal mixture and belonging to the category *tested* may vary by a maximum of 10 percentage points in a lot of planting stocks to be marketed;
 - 2) a lot of planting stocks propagated from a clonal mixture and belonging to the category *qualified* shall contain at least 90 per cent of the clones of the mixture. The percentages of individual clones in the lot of planting stocks may vary by a maximum of 5 percentage points.
- (2) Planting stocks may be produced vegetatively from seed material belonging to the categories *selected*, *qualified*, and *tested*.

Section 7 — *Quality requirements for seeds*

The species purity of a lot of seeds to be marketed shall be a minimum of 99 per cent. Species purity refers to the percentage of the seeds of the species to be marketed of the weight of the clean seeds.

Section 8 — *Quality requirements for planting stock*

- (1) Planting stock to be marketed shall be healthy and viable, and otherwise suitable for forest reproduction. Planting stock does not meet these requirements, if:
 - 1) it harbours pests or contains injuries caused by them which weaken its viability;
 - 2) the root system or a shoot of the planting stock is substantially bent, the root system is harmfully twisted or deficiently developed, or the root system of a balled planting stock does not adequately bind the ball;
 - 3) the leading shoot of the planting stock is not normal or the planting stock is substantially forked; or
 - 4) there are harmful bark defects, tears or damage due to freezing or desiccation of the planting stock.
- (2) Lots of planting stocks may contain individual planting stocks which do not meet the quality requirements referred to in subsection 1, but no more than 5 per cent of the total number of planting stocks.

Section 9 — *Information to be entered in the basic material register*

- (1) In addition to the information referred to in section 21(3) of the Act on the Marketing of Forest Reproductive Material, the following information shall be entered in the register kept of approved basic materials:
 - 1) the register reference of the basic material;
 - 2) the botanical and Finnish or Swedish name of the tree species, the category, and the use and type of basic material;
 - 3) the region of provenance of basic material belonging to the category *seed source identified* and its longitudinal and latitudinal zones, the region of provenance of basic material belonging to the category *selected* and its geographical location determined according to the longitude and latitude, and the exact geographical location of basic material belonging to the categories *qualified* and *tested*;
 - 4) the altitude of the location site of the basic material or the altitude zone;
 - 5) the area of the seed source, stand, and seed plantation;
 - 6) information concerning whether basic material is autochthonous, non-autochthonous, or whether its origin is unknown, and whether the basic material is indigenous or non-indigenous; for basic material that is non-autochthonous or non-indigenous, information regarding the origin is entered if it is known;
 - 7) for basic material belonging to the types 'seed orchard' and 'parents of family', the compositions and the grounds for this composition;
 - 8) the area of use of the forest reproductive material to be produced from basic material belonging to the categories *qualified* and *tested*;
 - 9) for tested material, information about whether the material has been genetically modified; and
 - 10) the amount of forest reproductive material produced from basic material belonging to the types 'parents of family', 'clone', and 'clonal mixture'.
- (2) In addition, the following information on clones and clonal mixtures shall be entered in the basic material register:
 - 1) the identification code of the clone or clonal mixture;
 - 2) the origin and descent of the clone;
 - 3) the composition of the clonal mixture and the grounds for the composition; and
 - 4) the selection and testing information.

Section 10 — *Notifications to be made to the register of suppliers of forest reproductive material*

- (1) In addition to the information concerning the supplier of forest reproductive material referred to in section 21(3) of the Act on the Marketing of Forest Reproductive Material, the following information shall be included in notification concerning initiation of operations:
 - 1) the means of procuring seeds and the extent of the procurement, the extraction and storage methods and the extent of operations and the equipment and methods to be used in the processing and analyzing of seeds and the extent of the packaging of seeds;
 - 2) the areas of the greenhouses and the outdoor growing areas to be used for raising the planting stocks, the storage methods and the extent of storage, information about the quality and extent of the production of parts of plants or of planting stocks propagated vegetatively, and information about whether seeds are also used in the production of ornamental plants; and
 - 3) information about whether the supplier of the forest reproductive material intends to engage in importing.
- (2) Notification concerning essential changes in operations shall indicate how operations have changed and which operating units the changes concern.
- (3) Notification of termination of operations shall indicate by operating unit when forest reproductive material was last marketed from them.

Section 11 — *Import notification*

The import notification for forest reproductive material shall indicate the name of the importer, the date and place of importing and the amount of material to be imported. If the forest reproductive material is imported for the purpose of testing or research, or forest breeding or the preservation of genetic resources, the import notification shall also indicate the use and end user of the forest reproductive material.

Section 12 — *Master certificate*

The master certificate issued for forest reproductive material obtained from approved basic material shall be as laid down in Annex 1, 2 or 3, depending on the type of basic material.

Section 13 — *Identification, separation, and combination of a lot of forest reproductive material*

- (1) A lot of forest reproductive material shall be identified so that the following information is apparent from its production documents:
 - 1) the code and number of the master certificate;
 - 2) the botanical name of the tree species and the Finnish or Swedish name of material produced in Finland;
 - 3) the category of forest reproductive material;
 - 4) the use of forest reproductive material;
 - 5) the type of basic material;
 - 6) the register reference of the basic material or the identification code of the region of provenance;
 - 7) the information mentioned in section 9(1)(3), 9(1)(6), 9(1)(8) and 9(1)(9) above;
 - 8) for seed units, the ripening year of the seeds; and
 - 9) the age of the planting stock and the planting stock type.

- (2) Lots of forest reproductive material shall be kept separate during all production stages on the basis of the information mentioned in subsection 1 so that the lots obtained from different approval units are not mixed.
- (3) Notwithstanding the provisions laid down in subsection 2, seed lots from the same seed orchard may be combined. A combined lot shall have a master certificate which indicates the numbers of the master certificates of the combined seed lots.

Section 14 — *Information to be provided on forest reproductive material*

- (1) A label or other document of the supplier of the forest reproductive material which in addition to the information laid down in section 9(3, 6, and 9), and in section 13(1-6) and (8-9) also indicates the following information shall be affixed to a lot of forest reproductive material to be marketed:
 - 1) the name or firm of the supplier of the forest reproductive material;
 - 2) the amount of forest reproductive material; and
 - 3) when necessary, an indication of vegetative propagation.
- (2) In addition to the information laid down in subsection 1, the label or document of the supplier belonging to a lot of seeds to be marketed shall also indicate the following data, in whose calculation internationally approved methods have been complied with as accurately as possible:
 - 1) the percentage by weight of pure seeds, other seeds, and inert material in the lot of seeds; the percentage of other seeds and inert material need not be stated if the percentage of other seeds by weight in the lot of seeds is less than 0.05;
 - 2) the germination percentage of pure seed or, if assessment is impossible or impractical, the percentage of viable seeds assessed by reference to a specified method;
 - 3) the weight of 1,000 pure seeds; and
 - 4) the number of germinating seeds per kilogram of seeds or, if the number of germinating seeds is impossible or impractical to assess, the number of viable seeds per kilogram.
- (3) However, the information required in subsection 2(1 and 3) above need not be provided for seeds of aspen, birch and alder. In addition to provisions laid down in subsection 1, the label or the document of the supplier shall also indicate the categorization according to part C, paragraph 2, subparagraph b of Annex VII of the Forest Reproductive Material Directive when long cuttings of the species *Populus* spp are marketed.
- (4) If it is a question of genetically modified material referred to in section 8 of the Act on the Marketing of Forest Reproductive Material, this shall be clearly indicated in the label or document of the supplier referred to in subsection 1. If it is a question of material referred to in section 14 of the Act, the label or other document of the supplier shall indicate that it is a question of material fulfilling less stringent requirements.
- (5) In addition to the information laid down in subsections 1-4, the following information on forest reproductive material produced and to be marketed in Finland shall be provided to the buyer:
 - 1) the area of use of material belonging to the categories *qualified* and *tested*;
 - 2) the average length of the lot of planting stocks and the minimum length of an individual planting stock in the lot of planting stocks and the growing density of the balled seedlings;
 - 3) for planting stocks in cold or frozen storage the time for termination of storage;
 - 4) the shipment day and, for planting stock packed in sealable packages, the packing day; and
 - 5) for seeds, the day of testing for germination and the shipment day.

- (6) The information referred to in subsection 1 above shall be provided for imported material, as appropriate.

Section 15 — *Application for exemption*

The following information shall be included in an application for exemption referred to in section 14 of the Act on the Marketing of Forest Reproductive Material:

- 1) the contact information of the applicant;
- 2) itemized information on the material, quality (seeds, planting stocks and other material), and the amount and planned area of use;
- 3) requirements of the Act on the Marketing of Forest Reproductive Material from which exemption is sought; and
- 4) the time at which the import lots were imported.

Section 16 — *Production accounts*

The production accounts referred to in section 6 of the Act on the Marketing of Forest Reproductive Material shall contain information referred to in section 13 for production of seeds and lots of planting stocks and in section 14 for purchases, marketing and importing. Moreover, the production accounts shall indicate to whom the lot of forest reproductive material was marketed.

Section 17 — *Use of Forestry Centres in supervision*

Forestry Centres can be used to assist in the monitoring of unusually extensive seed collections.

Section 18 — *Items to be stated in the collection notification*

- (1) The notification concerning initiation of the seed collection referred to in section 5(2) of the Act on the Marketing of Forest Reproductive Material shall contain the following information:
 - 1) the collection area with the accuracy of a municipality when procuring material belonging to the category *seed source identified*;
 - 2) the exact geographic location of the collection site when procuring material belonging to other categories; and
 - 3) the name and contact information of the person responsible for collection.
- (2) Notification concerning initiation of collection shall be made to the Plant Production Inspection Centre no later than two weeks before the initiation of collection.

Section 19 — *Entry into force*

This Decree enters into force on 18 December 2002.