

LAW no. 107 of June 15, 2011 regarding the sale of reproductive forest materials

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Published in the OFFICIAL MONITOR no. 430 of June 20, 2011 The Romanian Parliament adopts this law. Chapter I General Provisions Article 1 The provisions of this law establish the measures related to the production, marketing and import of reproductive forest materials. Article 2 The provisions of this law are not applicable to: a) saplings and parts of plants for which it can be demonstrated that they are not used for forestry purposes; b) forest reproductive material used in experiments, improvement programs, scientific purposes, conservation of genetic resources - gene conservation; c) reproductive forest material that is intended for export and re-export to third countries. Article 3

(1) For the purposes of this law, the terms and expressions below mean as follows:

- a) reproductive forest material - plant biological material through which the reproduction of trees from artificial species and hybrids, important for forestry purposes, is carried out. Artificial species and hybrids, important for forestry purposes in Romania, are provided in annex no. 1 ;
  - b) basic material - the source from which forest reproduction materials are obtained;
  - c) autochthonous stand or autochthonous source of seeds - the stand regenerated naturally, provided that, on the same surface, successively, the stands that preceded it were also regenerated naturally; it can also be regenerated artificially, but with material obtained from the source of seeds or the stand that previously existed on the respective surface or from the source of seeds or neighboring autochthonous stands;
  - d) indigenous tree or indigenous source of seeds - the autochthonous tree or the autochthonous source of seeds, or the tree or the source of seeds obtained artificially from seeds whose origin is located in the same region of origin;
  - e) origin - the place from where the reproductive forest material from which a stand was formed comes from. The origin is identified by the designation of the territorial planning units, namely: the forestry bypass, the production unit and the planning unit. The origin of a stand or seed source may or may not be known;
  - f) provenance - the place where a tree is found;
  - g) region of origin - the surface or grouping of surfaces with relatively uniform ecological conditions and where the stands have similar phenotypic or genetic characteristics. The criteria for delimiting the regions of origin are provided in annex no. 2 ;
  - h) identified source - reproductive forest material originating from a seed source or from the stand from a single region of origin and which meets the requirements set out in annex no. 3 ;
  - i) selected - reproductive forest material from a tree from a single region of origin that has been phenotypically selected at the population level and that meets the requirements set out in annex no. 4 ;
  - j) qualified - reproductive forestry material from plantations, parents of families, clones or mixtures of clones whose components have been phenotypically selected on an individual level and which meets the requirements set out in annex no. 5 , without the initiation or completion of testing being mandatory;
  - k) tested - reproductive forest material from stands, plantations, parents of families, clones or mixtures of clones and where its superiority has been demonstrated through tests or comparative cultures or by estimating the superiority of the reproductive forest material calculated from the genetic evaluation of the components of the base material and which meets the requirements set out in annex no. 6 ;
  - l) the production of reproductive forest material - all the stages that are carried out for the harvesting of seeds, fruits, cones, plant parts, for the extraction of seeds from fruits/cones, as well as for the use of seeds or plant parts for the purpose of obtaining saplings foresters;
  - m) commercialization of reproductive forestry material - offering for sale, offering for sale, including trade between member states of the European Union, sale or delivery to a third party, including delivery under a service contract, as well as any assignment or transfer, for the purpose of a commercial exploitation of reproductive forest material, whether it is remunerated or not, or the supply of reproductive material in the Lohn system;
  - n) the import of forest reproductive material - marketing from a third country in the European Union;
  - o) the national catalog of basic materials - the record, at the national level, of all source units, by categories, species and regions of origin;
  - p) national list of basic materials - summary of the National Catalog of basic materials;
  - q) approved basic material - the basic material included in the National Catalog of basic materials;
  - r) source unit - source of seeds, trees, parents of families, clone, plantation or culture of mother plants, registered in the National Catalog of basic materials with a unique registration number/code;
  - s) lot of reproductive forest material, hereinafter referred to as lot - the totality of reproductive forest material obtained from a single source unit, in a single year of production;
  - t) divided lot - the amount of reproductive forest material, part of a lot, which is sold, at a given time, to a beneficiary;
  - u) authority - the central public authority responsible for forestry, responsible at the national level for applying the provisions of this law;
  - v) testing - highlighting the quality of the reproductive forest material through cultures/comparative tests or through estimates resulting from the genetic evaluation of the basic material;
  - w) certification - confirmation by the proxy/representative of the authority of the origin/provenance and quality of the reproductive forest material, produced for commercialization for forestry purposes, in accordance with the categories provided in annex no. 7 , the national system or the system of the Organization for Economic Cooperation and Development;
  - x) forestry purpose - any activity that results in the establishment or regeneration of a forest, as defined in the national legislation in force;
  - y) supplier - any natural or legal person working in the field of commercialization or importation of reproductive forestry material;
  - z) forest genetic resources - natural or even artificial stands of autochthonous or introduced (exotic) species preserved in situ and ex situ.
- (2) The reproductive forest material provided for in para. (1) lit. a) it consists of:
- a) seeds in raw state - seeds, cones and fruits, from which, after processing, seeds are obtained, intended for the production of forest saplings;
  - b) plant parts - cuttings, buds, marcots, cuttings, leaves, roots, shoots, used for the production of forest saplings and explants or embryos used in micropropagation for the production of forest saplings;
  - c) forest saplings - plants obtained from seeds, parts of plants or from natural regenerations.
- (3) The basic material provided for in para. (1) lit. b) it consists of:
- a) source of seeds - the trees on a certain surface from which seeds are harvested;
  - b) grove - homogeneous portion of forest both from the point of view of the population of trees and seasonal conditions;
  - c) parents of families - trees from which offspring are obtained through open or controlled pollination, with which plantations are subsequently established. Open pollination - half-sib, where only the maternal component is identified, and controlled pollination - full-sib, where both parental components are identified. The totality of descendants with at least one common parent constitutes a family;
  - d) clone - all descendants - ramets - obtained from a single tree - ortet - by vegetative propagation, respectively by cuttings, grafting, micropropagation, sprouting and the like;
  - e) plantation - a forest culture, also called a seed orchard, consisting of trees from several clones or families, identified, in defined proportions, isolated from sources of foreign pollen and which is managed in such a way as to frequently produce abundant harvests of seeds, easy to harvest;
  - f) cultures of mother plants or mixture of clones - special cultures, consisting of trees coming from one or more identified clones, mixed with defined proportions, from which plant parts are obtained for vegetative propagation.
- (4) The origin defined in para. (1) lit. e) can be:
- a) the place where the tree or the source of seeds is found, for an autochthonous tree or an autochthonous source of seeds;
  - b) the place from which seeds or saplings from natural regeneration were harvested from which the stand was created, for a non-native stand or a non-native source of seeds.

Article 4 Through forestry activities, as defined in art. 3 paragraph (1) lit. x) , the following are not understood: a) alignments along transport routes; b) the parks and green spaces in the urban areas; c) production of Christmas trees; d) special crops for biomass intended for energy purposes or other special crops.

Article 5 It does not fall within the notion of commercialization, as defined in art. 3 paragraph (1) lit. m) , the reproductive forest material used for personal purposes, for the creation of forest plantations, on lands outside the national forest fund, which was not partially or totally subsidized by public funds.

## Article 6

(1) The authority, in accordance with the national legislation, may assign the tasks assigned to it in accordance with the provisions of this law to the specialized territorial structures of the authority and/or to a legal entity, which, based on its officially recognized status, has specific public service attributions forestry and whose employees have no personal interests in the actions they undertake and in the decisions they make in the field of control of the production, marketing, import and export of reproductive forest materials.

(2) The authority notifies the European Commission of the body responsible for applying the provisions of this law.

Article 7 The designation of the persons responsible for the control of compliance with the provisions of this law is made by order of the head of the authority.

Article 8 Reproductive forestry material, sold for forestry purposes, is obtained only from base material approved in accordance with the provisions of this law.

Article 9 For commercialization for other purposes, the reproductive forest material must be accompanied by a label stating: "It is not used for forestry purposes".

Article 10 The provisions of this law are applicable to the seeds even if they are sold for non-forestry purposes.

## Chapter II Approved basic material

## Article 11

(1) The basic material can be approved and included in the National Catalog of basic materials only by the authority.

(2) The proposal to include a source unit in the National Catalog of basic materials is made:

a) at the request of the owner, in the case of privately owned forests;

b) at the request of the forest administrator, in the case of forests owned by the state or administrative-territorial units;

c) by the persons appointed according to the provisions of art. 7, in the case of privately owned forests and in the case of publicly owned forests of the state or administrative-territorial units, if there is public interest in the conservation and use of genetic forest resources.

(3) Family parents, clones, plantations or mother plant cultures established until the date of entry into force of this law are maintained in the National Catalog of basic materials for the entire duration of their operation provided for in the technical norms in force.

Article 12 The Authority is obliged to take the following measures: a) to evaluate, with regard to maintaining the quality that was the basis of the approval, at intervals of at least 5 years, the basic material from which the reproductive forest material of the "selected" categories is obtained, "qualified" and "tested"; b) to approve as basic material also the trees whose characteristics present deviations from the conditions required by the provisions of art. 19 lit. a), in order to capitalize on the superiority of forest genetic resources that are naturally adapted to local and regional conditions. Deviations that are accepted must not exceed a percentage of 20% of the number of conditions imposed and will be justified by the purpose pursued when creating the new stands; c) to temporarily approve, for a maximum period of 3 years, basic materials for the production of reproduction materials in the "tested" category, even if the tests are not definitive. This approval is given under the conditions that, from the provisional results of the genetic evaluation or from the comparative reference tests, as provided in annex no. 6, the unit that carried out the tests confirms that, after the completion of the tests, these materials will satisfy the approval conditions in this category; d) to carry out periodic inspections of the approved base material at least once a year and whenever it deems necessary; e) if the requirements provided for in letter a)-d) are not met, the authority can withdraw the approval of the forestry reproductive material in question.

Article 13 In the situation where the basic material provided for in art. 12 lit. a) and c) consists of genetically modified organisms, as defined in art. 2 of the Government Emergency Ordinance no. 43/2007 regarding the deliberate introduction into the environment of genetically modified organisms, approved with amendments and additions by Law no. 247/2009, such material is accepted only if its use does not affect the health of people and the environment.

## Article 14

(1) The reproductive forestry materials obtained from the approved basic material will not be certified by the authority for commercialization, by issuing the identity certificate, if:

a) the species provided in annex no. 1 are not part of one of the "identified source", "selected", "qualified" or "tested" categories and do not meet the conditions set out in annexes no. 3-6;

b) artificial hybrids provided for in annex no. 1, including those obtained by vegetative multiplication, are not part of one of the "selected", "qualified" or "tested" categories and meet the conditions set out in annexes no. 4-6. Reproductive material from the "selected" category can only be marketed if it has been mass propagated from seeds;

c) species and artificial hybrids provided for in annex no. 1, made up partially or entirely of genetically modified organisms, are not part of the "tested" category and do not meet the conditions set out in annexes no. 3-6.

(2) The provisions of para. (1) does not apply to reproductive forest materials intended for the following purposes:

a) testing, scientific research, selection activity or genetic conservation;

b) other than for forestry purposes.

Article 15 The classification of the reproductive forest material obtained from the base material approved according to the provisions of this law is carried out according to the provisions of annex no. 7.

## Chapter III Regions of origin

Article 16 It is approved by order of the head of the authority: a) establishing and describing the regions of origin for basic materials from Romania, from which forest reproduction materials are obtained; b) the delimitation on the map of the regions of origin for the basic materials from which forest reproduction materials are obtained from the "identified source" and "selected" categories, for the species of interest in Romania; c) the rules for the transfer of reproductive forest material for the main forest species by categories of basic material and regions of origin.

## Article 17

(1) The information regarding the origin/provenance of the reproductive forest material used in the afforestation works must be registered in the forest management, at each management unit, within 30 days from the reception of the afforestation works and are taken over, as tree information, at each redevelopment.

(2) For afforestation, specify the category of reproductive forest material and the unique identification number/code of the source unit from which it was obtained.

(3) In the case of clone cultures and artificial hybrids, the taxonomic identifier of the used clone will be entered.

(4) The map of the regions of origin is submitted to the European Commission and the member states of the European Union.

## Chapter IV The National Catalog of Basic Materials and the National List of Basic Materials

Article 18 The National Catalog of Basic Materials, by categories, species and regions of origin, includes the description details and the unique identification number/code of each source unit and is approved by order of the head of the authority.

Article 19 The basic material is included in the National Catalog of basic materials, if: a) it meets the conditions provided in one of the annexes no. 3-6 , as appropriate; b) a single number/code is assigned to each source unit.

#### Article 20

(1) In cases of shortage or surplus of forest reproduction materials by order of the head of the authority, the minimum requirements for the approval of the basic material provided in annexes no. 3-6 for a specified period of time, but not more than one year.  
(2) The modification may be in the sense of reducing or, as the case may be, increasing these requirements.  
(3) In the case of approval of the basic material by reducing the minimum requirements, the label of the lot of reproductive forest material obtained from it will be marked "reduced requirements".

#### Article 21

(1) The national list of basic materials includes:  
a) a summary of the approved basic material, by region of origin, from which reproductive forest material is obtained from the "identified source" and "selected" categories;  
b) all source units, for the "qualified" and "tested" categories, with the information from the National Catalog of basic materials;  
(2) The national list of basic materials is forwarded, upon request, to the European Commission and the member states of the European Union.  
(3) The national list of basic materials is drawn up in accordance with the model established in the annex to Regulation (EC) no. 1,597/2002 of the Commission of September 6, 2002 establishing the rules for the application of Council Directive 1999/105/EC regarding the model of the national lists of basic materials intended for forest reproductive material.

Article 22 The updating of the National Catalog of basic materials is approved annually, by order, by the head of the authority.

#### Chapter V Identity certificate

##### Article 23

(1) The authority establishes in detail the content and form of the identity certificate provided in annexes no. 8/a-8/c .  
(2) The identity certificate is a form with a special regime that contains security elements, it is multiplied by the care of the authority and is made available to the persons empowered with the certification.

Article 24 The identity certificate is issued in 4 copies of different colors, each of which has the following destination: a) white -- for the first place of destination, respectively: the processing unit, the seed dryer and the like; b) pink - for authority; c) yellow - for the specialized unit authorized by the authority; d) blue - for the forest owner or manager, as the case may be.

##### Article 25

(1) Throughout the production process, the producer of each batch of reproductive forest material is obliged to ensure its identity and identification, through sketches, as the case may be, indicator boards, labels.  
(2) The minimum identification data for a batch are provided in annex no. 9 .  
(3) After the production of the reproductive forest material, the producer completes, for each batch, in his own record book, the identification data for the batch obtained from the approved base material. In the case of reproduction material from the "tested" category, obtained from basic material according to art. 12 lit. c) , in the register the mention "Approved provisionally" is made.  
(4) The record book model provided for in paragraph (3) is approved by order of the head of the authority.  
(5) In the case of obtaining divided lots, the producer mentions in the record book the number of lots obtained and the quantities related to each one.

##### Article 26

(1) The authority may approve successive vegetative multiplications of reproductive forest material from one of the categories "selected", "qualified" or "tested", obtained from the same unit-source of material.  
(2) Forest reproductive material obtained under the conditions of para. (1) is identified as such through a new identity certificate.

Article 27 The verification of the identity of the reproductive forest material, documented by the issuance of an identity certificate, is the basis for ensuring the identity and is done according to annex no. 10 .

#### Chapter VI Separation, mixing and sealing of reproductive forest material

##### Article 28

(1) The authority may approve, in order to reduce the number of lots:  
a) the mixture of reproductive forest material obtained from two or more material source units, from the "identified source" and "selected" categories, located in a single region of origin. The mixture can be made for reproductive forest material obtained from the same category or from both mentioned categories. For the mixture obtained, the batch identity certificate is issued, as the case may be, for the same category, if the mixture was made from components from the same category, or for the "identified source" category, if the mixture was made with forest reproductive material coming from both categories of material source units;  
b) the mixture of reproductive forest material obtained from non-autochthonous or non-indigenous basic material with reproductive forest material obtained from basic material of unknown origin. In the identity certificate for the lot obtained, it is mentioned that the origin is "unknown";  
c) the mixture of reproductive forest material obtained from a single unit-source of material, from different years of production. In the identity certificate of the lot thus obtained, the last year of production and the proportion of the reproductive forest material from the lot for the other years of production are recorded as the year of production.  
(2) In the situation where the mixture of reproductive forest material is made according to the provisions of para. (1) lit. a) and b) , the identification number from the National Catalog of basic materials of the unit - source of material is replaced by the code of the region of origin.

##### Article 29

(1) Forest seeds are sold only in sealed packages.  
(2) The sealing must be done in such a way that, if the packaging is opened, this can be observed and the seal becomes unusable.

Article 30 For mixed seeds, a new identity certificate will be issued, which identifies the components of the mixture.

#### Chapter VII Commercialization of reproductive forest materials

##### Article 31

(1) In order to preserve the identity, producers are obliged to keep the reproductive forest material subject to commercialization in separate lots at all stages of production and must label the lots according to the provisions of this law.  
(2) In the case of reproductive forestry material obtained from basic material, which consists of genetically modified organisms, any accompanying document or label or any other document will obligatorily highlight this fact.

## Article 32

- (1) Reproductive forestry material can only be sold in lots or divided lots, accompanied by:
  - a) the manufacturer's label or another document from the supplier, its content being provided in annex no. 9 ;
  - b) the legal documents provided by the legislation in force regarding the transport of goods;
  - c) copy of the analysis report issued by an authorized laboratory, only in the case of seeds;
  - d) the seal specific to the lot of reproductive forest material.
- (2) The color of the label provided for in para. (1) lit. a) is yellow in the case of the "identified source" of the reproductive material, green in the case of the "selected" reproductive material, pink in the case that the reproductive material is "qualified" and blue in the case that the reproductive material is "tested" .
- (3) For forest reproductive material that meets less strict requirements and is authorized for marketing by a member state of the European Union based on a decision of the European Commission, the supplier's labels or documents must show the mention "reduced requirements".
- (4) In the case of small quantities of seeds, the determination of quantities for different species is done according to the annex to Regulation (EC) no. 2.301/2002 of the Commission of December 20, 2002 establishing the rules for the application of Council Directive 1999/105/EC regarding the definition of the expression "reduced quantities of seeds".

## Article 33

- (1) Forest reproduction material for the species and hybrids provided for in annex no. 1 cannot be sold if it does not meet the requirements set out in annex no. 11 and in harmonized national standards.
- (2) The list of harmonized national standards for reproductive forest materials takes over the international standards approved at the community level and is approved by order of the head of the authority.
- (3) Marketing to the final user for the purpose of sowing or planting reproductive material may be prohibited by a member state of the European Union based on an authorization from the European Commission, if there are reasons to believe that:
  - a) the use of reproductive material the previously mentioned reproduction, according to the phenotypic or genetic characteristics, has an adverse effect on the forest area, the environment, genetic resources or biodiversity throughout the territory of the member state of the European Union or only on a portion thereof, based on the evidence in connection with the region of provenance or the origin of the material or the results of experiments or scientific research carried out in appropriate locations, either inside it outside the European Community;
  - b) based on the known results of some experiments or scientific research or the results obtained from forestry practice in relation to the survival and development of the planting material with regard to the morphological and physiological characteristics possessed by the respective reproductive material, have an unfavorable effect on the forestry field, of the environment, genetic resources or biodiversity, on the entire territory of the member state of the European Union or only on a part of it.

Article 34 Forest reproduction material must be accompanied by a health certificate issued according to the provisions of Government Ordinance no. 136/2000 regarding protective measures against the introduction and spread of quarantine organisms harmful to plants or plant products in Romania, approved with amendments by Law no. 214/2001, with subsequent amendments and additions.

## Article 35

- (1) The requirements that must be met by the batches of seeds, plant parts and seedlings of the species provided in annex no. 1 for marketing are provided in annex no. 11 .
- (2) In the case of *Populus* sp, plant parts will be sold only if the supplier's label or documents will be completed with data that will comply with the requirements of the European Commission set out in point 3 of annex no. 11 .

## Chapter VIII Import and export of reproductive forest materials

## Article 36

- (1) The import of reproductive forest material is allowed if the exporting country shows the same requirement regarding the approval of the basic material and the production of reproductive forest material as Romania.
- (2) The approval for such an import is given by the authority, if the material to be imported offers equivalent guarantees as that produced in the country under the conditions of this law.
- (3) In the case of importation of reproductive forestry material in a divided lot, the accompanying documents will obligatorily include mentions of the size and destination of the other divided lots.

Article 37 Reproductive forest material intended for trade may be imported only in accordance with the scheme of the Organization for Economic Cooperation and Development (OECD) - Control of reproductive forest material intended for international trade.

Article 38 The exporter must inform the authority about the export of reproductive forest materials.

## Chapter IX Ensuring the origin and identity of reproductive forest materials

## Article 39

- (1) Forest reproductive material can only be produced by registered producers according to the legislation in force.
- (2) Producers and suppliers of reproductive forest material are officially registered by the authority, in accordance with the authorization methodology approved by it.
- (3) The list of authorized manufacturers and suppliers can be consulted by those interested at the authority and subordinate units.

## Article 40

- (1) The authority has the obligation to carry out the control of producers, suppliers and beneficiaries regularly and systematically.
- (2) Producers, suppliers and beneficiaries are obliged to allow the control and to make available to the control body empowered by the authority the legal documents related to the forest reproduction materials that are the subject of the control.
- (3) Regulation on the way in which the control provided for in para. (1) is approved by order of the head of the authority, within 90 days from the date of entry into force of this law.
- (4) Producers and suppliers submit to the authority detailed information on all lots held and traded.

Article 41 In the situation where, following the experiences, it is found that a certain reproductive forest material has a negative effect on the forest, people's health or the environment, the authority is obliged to immediately prohibit its production, marketing and use, to exclude the basic material from which it is derived obtained from the National Catalog of Basic Materials and destroy it.

## Chapter X Verification of the production, commercialization, import and export of reproductive forest materials

Article 42 The authority is responsible for verifying the implementation of the legal provisions in force regarding reproductive forest materials.

Article 43 The authority can order the destruction of reproductive forest material that cannot be marketed.

## Article 44

- (1) The Authority provides the necessary assistance to the experts of the European Commission, in the situation where they carry out on-site inspections on the territory of Romania to verify the conformity of the reproduction material, in accordance with the provisions of this law.
- (2) The authority cooperates with the official authorities of the other member states in order to obtain the necessary information regarding the commercialization of forest reproductive material, especially in the case of transfers from one member state of the European Union to another, in accordance with the provisions of Regulation (EC) no. 1.598/2002 of the Commission of September 6, 2002 establishing the rules for the application of Council Directive 1999/105/EC on mutual administrative assistance between official bodies.

## Chapter XI National catalog of forest genetic resources

## Article 45

(1) In order to ensure the adaptability of forest populations and species by maintaining genetic variability at an appropriate level, in compliance with the Association Protocol of Romania to the European Program of Forest Genetic Resources - EUFORGEN, the National Catalog of Forest Genetic Resources is drawn up, with the evidence, specific description and identification, for each genetic resource.

(2) The catalog provided for in para. (1) is drawn up in accordance with the regions of origin of the forest genetic resources and is approved by order of the head of the authority.

Article 46 The technical instructions regarding the sustainable management of forest genetic resources are approved by order of the head of the authority, within 6 months from the date of entry into force of this law.

## Chapter XIISanctions

Article 47 Failure to label the lot/divided lot in accordance with the provisions of art. 9 constitutes a misdemeanor and is punishable by a fine from 200 lei to 500 lei.

Article 48 The commercialization or use of reproductive forest materials that do not meet the conditions set out in annex no. 11 and in the specific requirements constitutes a contravention and is sanctioned with a fine from 250 lei to 1,000 lei, and the forestry reproductive material in question is confiscated.

Article 49 Failure by the manufacturer to ensure the identity or identification of the batch, through sketches, as the case may be, indicator boards, labels, throughout the production process, or the improper fulfillment of these obligations constitutes a misdemeanor and is sanctioned with a fine from 500 lei to 1,000 lei.

Article 50 Non-completion by the manufacturer, at the time of batch creation, of the data requested by the form of the register tab for the batch or for the divided batch, according to the provisions of art. 25 para. (3) and (5), constitutes a contravention and is sanctioned with a fine from 200 lei to 500 lei.

Article 51 Failure to prepare the identity certificate for the reproductive forest materials, obtained under the conditions of art. 28 para. (2), constitutes a contravention and is sanctioned with a fine from 500 lei to 1,000 lei.

Article 52 Realization of the mixture of reproductive forest materials in violation of the provisions of art. 30 constitutes a misdemeanor and is punishable by a fine from 500 lei to 1,000 lei.

Article 53 Commercialization of reproductive forest material under conditions other than those provided for in art. 31 or 34 constitutes a contravention and is sanctioned with a fine from 1,000 lei to 1,500 lei, and the forestry reproductive material in question is confiscated.

Article 54 Failure to make available to the competent control body the documents certifying the provenance of the reproductive forest materials constitutes a misdemeanor and is punishable by a fine from 500 lei to 1,000 lei.

Article 55 Violation of the transfer rules for reproductive forest material in case of shortage of reproductive forest material in a region of origin constitutes a misdemeanor and is punishable by a fine from 2,000 lei to 3,000 lei.

## Article 56

(1) The forest areas that have afforested are obliged to present the information regarding the origin/provenance of the forest reproduction materials used at each redevelopment.

(2) The non-presentation to the designers of the information regarding the origin/provenance of the reproductive forest material used by the foresters who have created forest plantations constitutes a contravention and is sanctioned with a fine from 1,000 lei to 2,000 lei.

Article 57 The non-registration by the specialized units authorized for forest management works in the forestry management of the information regarding the origin/provenance of the reproductive forest materials used to create forest plantations constitutes a contravention and is sanctioned with a fine from 1,000 lei to 2,000 lei.

Article 58 Failure by the forestry department to enter information on the origin/provenance of the reproductive forest material used in the afforestation works within 30 days from the reception of the afforestation works in the forestry facilities and/or not taking them over as tree information at each redevelopment constitutes a misdemeanor and is punishable by a fine from 1,000 lei to 2,000 lei.

Article 59 The import of reproductive forest material that does not comply with the scheme of the Organization for Economic Cooperation and Development (OECD) - Control of reproductive forest material intended for international trade, as well as the community and national norms in force constitutes a contravention and is punishable by a fine from 3,000 lei to 10,000 lei, and the forest reproductive material in question is confiscated.

Article 60 The commercialization of forest reproduction materials from unapproved basic material constitutes a misdemeanor and is punishable by a fine from 3,000 lei to 10,000 lei.

Article 61 The production and/or sale of genetically modified forest reproductive material constitutes a contravention and is sanctioned with a fine from 3,000 to 10,000 lei, and the forest reproductive material in question is confiscated.

Article 62 Failure to declare the fact that the reproductive forest material comes from genetically modified basic material constitutes a misdemeanor and is punishable by a fine from 3,000 lei to 10,000 lei.

## Article 63

(1) Finding contraventions and applying the sanctions provided for in art. 47-62 are made by the authority's staff empowered for this purpose.

(2) The violator can pay, on the spot or within no more than 48 hours from the date of conclusion of the report or, as the case may be, from the date of its communication, half of the minimum fine provided for in art. 47-62, the ascertaining agent mentioning this possibility in the minutes.

(3) Contraventions provided for in art. 47-62, the provisions of Government Ordinance no. 2/2001 regarding the legal regime of contraventions, approved with amendments and additions by Law no. 180/2002, with subsequent amendments and additions.

## Chapter XIII Final Provisions

Article 64 Amendments to the annexes of this law are made by Government decision.

Article 65 It is approved, by order of the head of the authority: a) the model of the tab of the National Catalog of basic materials; b) model of the lot/split lot label; c) model of the seed analysis bulletin; d) guidelines regarding the commercialization and transfer of reproductive forest materials for species of forestry interest in Romania; e) methodology for authorizing the producer and supplier of reproductive forest material.

Article 66 For a period that must not exceed 10 years, the basic material from which to obtain reproduction material from the "tested" category of all species and artificial hybrids that are subject to this law can be approved, if, from the provisional results of the genetic or comparative evaluation tests provided in annex no. 6, it can be assumed that the material corresponds to the approval requirements provided for in this law, in the situation where the tests are finished.

Article 67 The Authority ensures the financial resources and personnel necessary to fulfill the provisions of this law.

Article 68 Appendices no. 1-11 are an integral part of this law.

Article 69 On the date of entry into force of this law, Government Ordinance no. 11/2004 regarding the production, marketing and use of reproductive forest materials, published in the Official Gazette of Romania, Part I, no. 85 of January 30, 2004, approved with amendments and additions by Law no. 161/2004, with subsequent amendments and additions, as well as any other contrary provisions are repealed.

This law transposes Council Directive 1999/105/EC of December 22, 1999 on the marketing of forest reproductive material, published in the Official Journal of the European Communities, series L, no. 11 of January 15, 2000.

This law was adopted by the Romanian Parliament, in compliance with the provisions of art. 75 and of art. 76 para. (1) from the Constitution of Romania, republished.

p. PRESIDENT OF THE CHAMBER OF DEPUTIES,

IOAN OLTEAN

PRESIDENT OF THE SENATE

MIRCEA-DAN GEOANĂ

Bucharest, June 15, 2011.

No. 107.

APPENDIX no. 1 LIST of species and artificial hybrids important for forestry purposes in Romania

No. crt.	Botanical name	Popular name
1.	<i>Abies alba</i> Mill.	Fir
2.	<i>Acer platanoides</i> L.	Field palin
3.	<i>Acer pseudoplatanus</i> L.	Mountain paltin
4.	<i>Alnus glutinosa</i> Gaertn.	Black alder
5.	<i>Alnus incana</i> Moench.	White anin
6.	<i>Betula pendula</i> Roth.	Birch
7.	<i>Betula pubescens</i> Ehrh.	Fluffy birch
8.	<i>Carpinus betulus</i> L.	Hornbeam
9.	<i>Chestnut sativa</i> Mill.	Edible chestnut
10.	<i>Fagus sylvatica</i> L.	Beech
11.	<i>Fraxinus excelsior</i> L.	Common ash
12.	<i>Fraxinus angustifolia</i> Vahl.	Meadow ash
13.	<i>Juglans nigra</i> L.	Black walnut
14.	<i>Larix decidua</i> Mill.	European larch
15.	<i>Larix x eurolepis</i> Henry	Larch eurolepis
16.	<i>Larix kaempferi</i> Carr.	Japanese larch
17.	<i>Picea abies</i> Karst.	SPRUCE
18.	<i>Picea sitchensis</i> Carr.	Sitka Spruce
19.	<i>Pinus cembra</i> L.	Zambru
20.	<i>Pinus nigra</i> Arnold	Black pine
21.	<i>Pinus nigra</i> sorrow	Banat black pine
22.	<i>Pinus sylvestris</i> L.	Scots pine
2. 3.	<i>Populus</i> sp. and artificial hybrids between these species	poplars

24.	Prunus avium L.	Bird cherry
25.	Pseudotsuga menziesii Mirb. French	Douglas
26.	Quercus cerris L.	heaven
27.	Quercus frainetto Ten.	flasks
28.	Quercus pedunculiflora K. Koch.	Brumary oak
29.	Quercus petraea Liebl.	sessile
30.	Quercus pubescens Willd.	Downy oak
31.	Quercus robur L.	Pedunculate oak
32.	Quercus rubra L.	Red oak
33.	Quercus suber L.	Cork oak
34.	Robinia pseudacacia L.	Acacia
35.	Tilia cordata Mill.	Sooty linden
36.	Tilia platyphyllos Purpure.	Lime trees with large leaves
37.	Tilia tomentosa Moench	Silver linden

## APPENDIX no. 2 CRITERIA for delimiting the regions of origin

- The regions of origin are defined for each species important for forestry purposes included in annex no. 1.
- The regions of origin are delimited for the basic materials from which reproductive forest material is obtained from the "identified source" and "selected" categories.
- Geographical criteria:
  - latitude: the latitudinal amplitude of a region of origin must not be greater than 2 degrees;
  - altitude: the altitudinal amplitude in a region of origin must not exceed 500 m;
  - orography of the land: the water basins that separate different general exposures, which lead to significant climate changes, are the limits of the regions of origin.
- Climatic criteria:
  - average annual temperature: in a region of origin, the difference between the multiannual average temperature of different points must not have values higher than 2°C;
  - average annual precipitation: the difference between the multiannual average amount of precipitation from different points of a region of origin must not be greater in equivalent than 200 mm;
  - the length of the vegetation season: the difference between the length of the vegetation season from various points of a region of origin cannot be greater than 30 days.
- Stationary and vegetation criteria:
  - seasonal potential: the region of origin is delimited according to the seasonal potential for the respective species (upper, middle, lower);
  - soil type: distinct regions of origin are delineated in the case of identifying soils with extreme characteristics (saline, lacustrine, glazed/pseudoglazed, etc.);
  - the percentage of participation of the species for which the region of origin is constituted must not differ by more than 30% between the mixed stands.
- The region of origin is delimited on the smallest surface, resulting from the application of the criteria mentioned in points 1-5.

## APPENDIX no. 3 MINIMUM REQUIREMENTS for the admission of basic materials intended for the production of reproductive forest materials from the "identified source" category

- The basic material can be a seed source or a tree from a single region of origin.
- The base material has proven adaptability in extreme conditions for forest vegetation.
- The base material must be indigenous/autochthonous.
- The control regarding the fulfillment of the conditions for the admission of this type of basic material is done, by survey, by the authority.
- If it is intended that the reproductive forest material obtained from these sources be used for special forestry purposes, namely afforestation of chemically degraded lands, in polluted areas and the like, the control provided for in point 4 is mandatory for all the basic material from which obtains reproductive forest material that is used for these purposes.
- The region of origin and location, as well as the altitude or altitudinal step where the reproductive material is collected, must be indicated.

## APPENDIX no. 4 MINIMUM REQUIREMENTS for the admission of basic materials intended for the production of reproductive forest materials from the "selected" category

- The basic material is a tree.
- The basic material is evaluated according to the purpose for which the future stand is formed from the reproductive forest material obtained from it.
- Priority is given to autochthonous/indigenous trees.
- In the same region of origin, non-autochthonous/non-indigenous trees with particularly valuable phenotypic characteristics are also admitted. For these, the origin is mentioned, if it is known.
- Isolation from foreign pollen sources. The requirement is met if the stands are located at a sufficiently large distance from:
  - other stands made of the same species, with inferior characteristics;
  - other stands, made up of related species, susceptible to hybridization.
The fulfillment of this requirement is all the more important as the neighboring stands, made up of the same species or of species susceptible to hybridization, are not indigenous or are of unknown origin.
If the isolation condition is not met, it is necessary to extract the phenotypically inferior trees of the same species or of related species susceptible to hybridization on an outer strip, which follows the contour of the stand, 300-400 m wide.
In the case of entomophilous forest species, the width of this strip must be greater (at least 3 km for bees).
- The number of trees in the stand. In the arboretum there must be one or more groups of trees of the species for which the base material is constituted. In each group the number of trees must be sufficient to ensure interfertilization. The optimal consistency is, for hardwoods, 0.6, and for softwoods, 0.8. For dioecious species, the proportion of female to male specimens should be about 2:3. To eliminate the adverse effects of inbreeding, stands must have a minimum area of 3 ha and a minimum of 50 seed trees/ha.
- Age. The trees that make up the stand must have the age at which the criteria imposed for the selection can be evaluated unequivocally.
- Homogeneity. The individual variation of the characters by which the selection is made must be normal. Determinations are made on a statistical basis. Trees with inferior characteristics should be removed as appropriate.
- Adaptability. The trees must clearly show the adaptation to the specific ecological conditions in the region of origin.
- Sanitary condition and resistance to harmful factors. Trees must be healthy and resistant to attacks by harmful organisms, except for damage due to pollution.
- The purpose for which the stand is created from the reproductive forest material:
  - wood production: wood production must be above the average for similar ecological conditions;
  - wood quality: it is particularly sought for the basic material admitted for the purpose of obtaining forest reproduction materials, used for the creation of stands intended to obtain massive wood from which superior industrial varieties are obtained. It is achieved by: - ensuring a maximum

frequency of 20% forked trees and a maximum of 10% twisted fiber trees, for deciduous trees; - cylindrical trunks, elongated on at least 60% of the total height, small number of branches in the whorl, thin and inserted at an angle close to 90°, in resinous trees;  
 c) the creation of stands in extreme conditions. Priority is given to basic material that has shown adaptation to similar or close conditions;  
 d) other purposes. The basic material is evaluated according to the purpose for which the stand is created from the reproductive forest material and, depending on it, priority is given to other criteria, established in accordance with the provisions of this law.

APPENDIX no. 5 MINIMUM REQUIREMENTS for the admission of the basic material intended for the production of reproductive forest materials in the category "Qualified" The basic material can be made up of plantations, parents of families, clones or a mixture of clones. A. Requirements for plantations: a) constituents (trees) of clones or component families will be planted in a device corresponding to the scientific norms regarding the installation and management of plantations and materialized in such a way that each constituent can be identified. The installation of plantations is approved by the authority; b) all changes related to the type, objective, installation and crossing plan, components, insulation, place of installation, as well as all changes related to these elements shall be approved by the authority; c) clones or component families to be selected for phenotypic characters, paying particular attention to the requirements formulated in points 7, 9, 10 and 11 of annex no. 4; d) in the records of each plantation, the thinnings practiced, the selection criteria used in their application, the management works performed, namely: pruning, fertilizing, pest control and the like, and the quantities of seeds/fruits harvested annually, should be mentioned; e) the management of the plantations and the harvesting of the seeds should be done in accordance with the objectives for which they were created. In the situation where a plantation is intended for the production of an interspecific hybrid, it is necessary to determine, through a control test, the percentage of hybrids present in the reproductive material obtained. B. Requirements for parents of families: a) parents will be selected for outstanding characters, special attention being paid to the requirements formulated in points 7, 9, 10 and 11 of annex no. 4, or select by their ability to combine; b) the objective, the crossbreeding plan and the pollination system, the parental components, the isolation, the place of installation, as well as all changes related to these elements will be approved by the authority; c) the identity, number and proportion of the constituent parents of a mixture will be approved by the authority; d) in the situation where the parents are intended to produce an interspecific hybrid, it is necessary to determine, through a control test, the percentage of hybrids present in the reproductive material obtained. C. Requirement for clones: a) clones must be identifiable by distinctive characters, approved by the authority; b)

the value of clones for forestry must be demonstrated by sufficiently long experimentation or established by tests;  
 c) the orthetes used for the production of clones must be selected for their outstanding characters, special attention being paid to the requirements formulated in points 7-11 of annex no. 4;  
 d) the period for the approval of this type of material is limited to a maximum of 5 years.  
 D. Requirements for mixtures of clones:  
 a) the clones in the mixture must meet the requirements provided for in letter C;  
 b) the identity, number and proportions of the constituent clones of a mixture, as well as the selection method used and the tree must be approved by the authority.

APPENDIX no. 6 MINIMUM REQUIREMENTS for the admission of basic materials intended for the production of reproductive forest materials from the "Tested" category

1. The base material must meet the requirements set out in annex no. 3 or 4.
2. The tests established for the purpose of admitting basic materials are prepared, installed and conducted, and their results are interpreted according to internationally recognized procedures.
3. For comparative tests, the tested forest reproductive materials must be compared with one or, preferably, several approved controls or with predetermined characteristics.
4. Tests must be designed in such a way as to allow the assessment of specific characters. These characters will be specified for each test. The greatest weight should be given to adaptation, growth and resistance to major pests and diseases. In addition, other characters, considered important according to the proposed objective, will be evaluated according to the ecological conditions of the region where the test is carried out.
5. Documentation  
 The record file must include a description of the test site(s), in particular the geographical situation, climate, soil type, previous use, installation, forestry work carried out, as well as any damage caused by biotic and abiotic factors and be at the disposal of the authority. The results obtained from the evaluation at different ages of the tested material must be recorded by the authority.
6. Installation of the tests:  
 a) the samples from the reproductive forest materials subjected to the tests must be harvested, planted and treated identically, as far as the type of material used allows;  
 b) the tests must be installed according to a valid statistical device and contain a sufficient number of constituents, for which the specific characteristics of each examined sample can be evaluated.
7. Analysis and validity of the results:  
 a) the data obtained from the experiences must be analyzed by internationally recognized statistical methods and the results must be presented for each character examined;  
 b) the methodology according to which the tests were carried out and the results obtained in detail must be accessible;  
 c) must also mention the characteristics likely to limit the use of the material, as well as the region where adaptation is likely, compared to the conditions in which the test was carried out;  
 d) if during the tests it was proven that the reproductive forest material does not possess at least the characteristics of the basic material or resistance similar to it in terms of harmful organisms, then this basic material will be excluded from the National Catalog of the basic material.
8. The tests will be performed and interpreted only by specialists of the specialty institute or under their direct guidance and coordination.
9. For the genetic evaluation of the constituents of the basic material, it is necessary to fulfill the following additional requirements compared to those listed in points 1-8:  
 a) the genetic evaluation is done only for the constituents of the following basic materials: plantations, parents of families, clones and mixtures of clones;  
 b) the additional documentation includes the following information: - the identity, origin and pedigree of the evaluated constituents; - the cross-breeding plan used for the production of the reproductive forest material used in the evaluation tests;  
 c) the following conditions must be met by the testing technique: - the genetic value of each constituent must be estimated through evaluation tests conducted in two or more places, at least one of which must be in the environmental conditions corresponding to the proposed use of the forest material of reproduction; - the estimated genetic superiority of the reproductive forest materials must be calculated according to the genetic value and the crossbreeding plan applied;  
 d) the genetic evaluation tests and the calculation procedure must be approved by the authority;  
 e) for the interpretation of the results: - the estimation of the superiority of the reproductive forest material must be calculated in relation to the reference stand, for each character or for the set of characters; - it must be determined if the value of the genetic estimation of the reproductive forest material is inferior to the reference stand for the important characters.
10. For the comparative testing of forest reproduction materials, it is necessary to meet the following additional requirements compared to those listed in points 1-8:  
 a) the samples from the tested reproduction materials must effectively represent the reproduction materials obtained from the basic materials for which it is admission requested;  
 b) sexually multiplied reproductive materials, which are subject to tests, must: - be harvested in satisfactory flowering and fruiting years; artificial pollination is allowed; - to be collected according to methods that ensure that the obtained samples are representative;  
 c) the performances of the controls used in the tests, for the purpose of comparison, must, as far as possible, be known over a sufficiently long period in the region where the test is conducted. Controls are mainly materials that, at the start of the test, have already been verified in forestry under the ecological conditions for which the material is proposed to be used. The witnesses come, as far as possible, from trees selected according to the criteria provided in annex no. 4 or from officially accepted basic materials for the production of tested materials;  
 d) in the case of tests for artificial hybrids, the two parent species must be part of the controls;  
 e) as many witnesses as possible must be used. If necessary and well justified, the controls may be replaced by the closest tested materials or by the average of the tested components;  
 f) the same controls must be used in as wide a range of tests as possible, covering different environmental conditions;

- g) from the interpretation of the results, it must be demonstrated that the examined material presents, in relation to the controls, a statistically significant superiority for at least one important character;
  - h) the existence of results significantly inferior to the controls for characters of economic or environmental importance must be clearly highlighted.
- They must be compensated by the results of favorable characters.
- 11. Juvenile phase test results may serve as the basis for a conditional approval. Evidence of superiority, based on early tests, should be re-examined at a maximum interval of 10 years.
  - 12. Early tests, carried out in the nursery, in the greenhouse or in the laboratory, are admitted for conditional approval or for final approval, if it can be demonstrated that there is a close relationship between the character measured and the characters that are generally evaluated in tests conducted under conditions of maturity of the stand. Early tests are carried out according to the requirements described in point 10.

APPENDIX no. 7 Categorization of reproductive forest materials according to the approved base material from which they originate

The basic material from which the reproductive forest material originates	Forest reproductive material category*/Label color			
	Source Identified/Yellow	Selected/Green	Qualified/Pink	Tested/Blue
Seed source				
brush				
orchards				
Parents of families				
Clones				
Mixture of clones				

\* The shading shows the category in which the obtained reproductive forest material falls.

APPENDIX no. 8/a CERTIFICATE OF IDENTITY for the reproductive forest material obtained from the source of seeds/trees (the certificate must contain all the information entered below and in the exact format) Issued in accordance with .....

Country Romania	Certificate: RO .....	/No. .... /Year .....
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It is certified that the forest reproductive material described below has been produced:  
 In accordance with the EC Directive   
 In accordance with the transitional provisions

1. Botanical/common name .....

2. Nature of the reproductive forest material:
- seeds <input type="checkbox"/>
- plant parts <input type="checkbox"/>
- saplings <input type="checkbox"/>

3. Category of reproductive forest material:	4. Type of basic material:
- identified source <input type="checkbox"/>	- seed source <input type="checkbox"/>
- selected <input type="checkbox"/>	- stand <input type="checkbox"/>
- tested <input type="checkbox"/>	

5. Purpose: .....  
 6. Identification code from the National Catalog or reference number from the National List: .....  
 7. .... /mix: .....

indigenous <input type="checkbox"/>	non-native <input type="checkbox"/>	Unknown <input type="checkbox"/>
Indigenous <input type="checkbox"/>	Non-indigenous <input type="checkbox"/>	

8. Origin of base material (for non-autochthonous/non-indigenous materials, if known) .....  
 9. Country and region of origin: (briefly titled provenance, as appropriate): .....  
 10. Altitude or altitudinal limits of the place where the base material is located: .....  
 11. Harvest year, for seeds: .....  
 12. Quantity: .....

13. Is the material in this certificate the result of dividing a larger lot for which a previous certificate was drawn up?	
Yes <input type="checkbox"/>	Not <input type="checkbox"/>
Previous certificate number: ..... Quantity in original lot: .....	

14. Age of seedlings (from the nursery): .....
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15. Is material propagated vegetatively from seed material? Yes  No   
 Propagation method: ..... Number of propagation cycles: .....  
 16. Other useful information: .....

17. Name and address of the manufacturer: .....
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Name and address of the authorized authority	Stamp of the delegated authority Date:	Name and function of the person representing the authorized authority Signature
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APPENDIX no. 8/b IDENTITY CERTIFICATE for forest reproductive material obtained from plantations/family parents (the certificate must contain all the information listed below and in the exact format) Issued in accordance with .....

Country Romania	Certificate: RO .....	/No. .... /Year .....
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It is certified that the forest reproductive material described below has been produced:

In accordance with the EC Directive

In accordance with the transitional provisions

1.

a) Botanical/vernacular name .....

b) Name of the base material (as entered in the National Catalog) .....

2. Type of reproductive forest material:

- seeds

- plant parts

- batches of seedlings

3. Category of reproductive forest material:

- qualified

- tested

4. Type of basic material:

- plantation

- parents of families

5. Purpose: .....

6. Identification code from the National Catalogue: .....

7. Autochthon  / Indigenous  ; Non-indigenous  / Non-indigenous  ; Unknown

8. Origin of base material (for non-autochthonous/non-indigenous materials, if known) .....

.....

9. Region of provenance of the base material (briefly titled provenance): .....

10. Seeds obtained from:	- free pollination <input type="checkbox"/>
	- additional pollination <input type="checkbox"/>
	- controlled pollination <input type="checkbox"/>

11. Harvest year for seeds: .....

12. Quantity: .....

13. Is the material in this certificate the result of dividing a larger lot for which a previous certificate was drawn up?

Yes

Not

Previous certificate number: ..... Quantity in original lot: .....

14. Age of seedlings (from the nursery): .....

15. Number of parent components:

Families: .....

Clones: .....

16. Altitude or altitudinal limits of the place where the base material is located:

.....

17. Were genetic modifications made in the production of the base material? Yes No

18. For materials obtained from parents of families:

- Crossing system: .....

- Percentage of participation of the component families: .....

19. Is material propagated vegetatively from seed material?

Yes

Not

Propagation method: .....

Number of propagation cycles: .....

20. Other useful information: .....

21. Manufacturer's name and address:

Name and address of the authorized authority	Stamp of the delegated authority Date:	Name and function of the person representing the authorized authority Signature
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APPENDIX no. 8/c CERTIFICATE OF IDENTITY for reproductive forest material obtained from clones/mixture of clones (the certificate must contain all the information listed below and in the exact format) Issued in accordance with .....

Country Romania	Certificate: RO .....	/No. .... /Year .....
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It is certified that the forest reproductive material described below has been produced:

In accordance with the EC Directive

In accordance with the transitional provisions

1.

a) Botanical/vernacular name .....

b) Name of the clone or mixture of clones .....

2. Type of reproductive forest material:

- plant parts

- saplings

3. Category of reproductive forest material:

- qualified

- tested

4. Type of base material:

- clones

- mixture of clones

5. Purpose: .....
6. Identification code from the National Catalogue: .....
- 7.

indigenous <input type="checkbox"/>	non-native <input type="checkbox"/>	Unknown <input type="checkbox"/>
Indigenous <input type="checkbox"/>	Non-indigenous <input type="checkbox"/>	

8. Origin of base material (for non-autochthonous/non-indigenous materials, if known) .....
9. Region of provenance of the basic material (briefly titled provenance):.....
10. Were genetic modifications made in the production of the base material? Yes No

11. a) Propagation method: .....
b) Number of propagation cycles: .....

12. Quantity:.....

13. Is the material in this certificate the result of dividing a larger lot for which a previous certificate was drawn up?	
Yes <input type="checkbox"/>	Not <input type="checkbox"/>

Previous certificate number: ..... Quantity in original lot: .....

14. Age of seedlings (from the nursery): .....

15. For clone mixes:	
Number of clones in the mixture: .....	The percentage of participation of the component clones: .....

16. Other useful information: .....

17. Manufacturer's name and address:

Name and address of the authorized authority	Stamp of the delegated authority Date:	Name and function of the person representing the authorized authority Signature
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APPENDIX no. 9 MINIMUM identification data for a lot (Label)

- Supplier name and identity certificate number
- Botanical/common name
- Category of reproductive forest material
- Purpose\*):
  - forestry;
  - other purposes.
 \*) Check a) or b), depending on the desired purpose.
- Type of base material
- Quantity
- The number from the National Catalog of the basic material or the identification code of the region of origin of the basic material from which it was obtained
- Region of origin - for the categories of reproduction material from "Identified source" and "Selected" or any other reproduction material, if applicable
- As the case may be, in the situation where the origin of the material is autochthonous or indigenous, non-autochthonous or non-indigenous or unknown
- In the case of seed lots, the year of fruiting
- Age and type of batch of seedlings, for seedlings or cuttings, in the situation where they are cut, transplanted or containerized
- If genetically modified
- Purity
- Germination percentage of pure seeds/Viability percentage
- Weight of 1,000 pure seeds
- Number of germinating seeds per kilogram/Number of viable seeds per kilogram

APPENDIX no. 10 VERIFICATION of the obtaining of reproductive forest material The person who does the harvesting shall notify the personnel responsible for controlling the compliance with the provisions of this law, at the level of the specialized unit, specifying: a) the date on which the harvesting is intended (to be at the latest a month before); b) announcing the actual start of harvesting 3 days before; c) specifying the source unit. A. Propagation material from the "Identified source" category: - harvesting must be done from at least 15 trees. B. Propagation material from the "Selected" category: a) Harvesting must be done from a minimum number of: - 20 trees for the species: *Abies alba*, *Fagus sylvatica*, *Larix decidua*, *Picea abies*, *Pinus nigra*, *Pinus sylvestris*, *Quercus petraea*, *Quercus robur*; - 10 trees for the other species. b) Collecting samples and sending them separately for each individual tree. c) The minimum quantity of the sample per tree: - *Abies alba*, *Picea abies*. ..... 1 cone; - *Larix decidua*, *Pinus nigra*, *Pinus sylvestris*, *Pseudotsuga menziesii* .... 3 cones; - *Alnus glutinosa*, *Alnus incana* ..... 5 cones; - *Quercus petraea*, *Quercus robur*, *Quercus rubra*, *Quercus cerris* ..... 10 seeds; - *Acer platanoides*, *Acer pseudoplatanus*, *Carpinus betulus*, *Fagus sylvatica*, *Fraxinus angustifolia*, *Fraxinus excelsior*, *Prunus avium*, *Robinia pseudacacia*, *Tilia cordata*, *Tilia platyphyllos* ..... 20 seeds. C. Propagation material from the "Qualified" and "Tested" categories: - for trees and plantations, the same provisions apply as for the "Selected" category.

APPENDIX no. 11 REQUIREMENTS that must be met by the batches of seeds, plant parts and seedlings of the species provided in annex no. 1 for marketing

- Batches of seeds from the species listed in annex no. 1 cannot be marketed if they do not reach the minimum level of species purity of 99%.
- Seed batches resulting from the natural combination of related species, provided in annex no. 1, except for artificial hybrids, indicating the purity of the species of the fruit or seed lots, if it does not reach 99%.
- Plant parts and artificial hybrids, *Populus* sp., cannot be sold, if:
  - stem cuttings have one of the following defects: - they are obtained from branches over 2 years old; - have less than 2 well-formed buds; - are affected by necrosis or have signs of pest attacks; - have symptoms of drying, heating, mold or rot;
  - the minimum dimensions of stem cuttings are not: - minimum length: 20 cm - minimum diameter at the tip: - class CE1 8 mm; - class CE2 10 mm;
  - the shoots have one of the following defects: - the wood is more than 3 years old; - have less than 5 well-formed buds; - are affected by necrosis or have signs of pest attacks; - have injuries other than the initial cuts; - have symptoms of drying, heating, mold or rot; - have multiple stems; - have excessive curves of the stem;

d) the size classes for shoots are not:

Class	Minimum diameter (mm) at an average length	Minimum height (m)
Non-Mediterranean regions		
N1	6	1.5
N2	15	3.00
Mediterranean regions		
S1	25	3.00
S2	30	4.00

4. Batches of saplings from artificial species and hybrids, provided in annex no. 1, must be of adequate quality in terms of general characteristics, health, vitality and physiological quality.

5. The batch of seedlings cannot be marketed unless at least 95% of the seedlings in the batch are of appropriate quality.

6. Puppies are considered unsuitable if they have one of the following deficiencies:

- a) physical injuries;
- b) lack of terminal bud;
- c) multiple stems;
- d) deformed root system;
- e) symptoms of drying, burning, mold or rot or injuries due to specific pests;
- f) asymmetric shape.

7. The quality of seedlings according to size is determined according to the standards in force.

8. Container size: - in the case of other species, the minimum volume of the container will be 200 cmc.

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