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STATUTORY INSTRUMENTS

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**2002 No. 3026**

**The Forest Reproductive Material  
(Great Britain) Regulations 2002**

**PART III**

*Collection and Production of Forest Reproductive Material*

**Collection and production of forest reproductive material for marketing**

**10.** Unless acting under a licence granted pursuant to regulation 18, no person shall collect or produce forest reproductive material for the purpose of marketing or for use in the production of forest reproductive material which is to be marketed unless he does so from approved basic material and in accordance with the provisions of this Part.

**Collection of forest reproductive material**

**11.**—(1) Subject to paragraph (3), any person proposing to collect, or cause to be collected, forest reproductive material for the purpose of marketing or for use in the production of forest reproductive material which is to be marketed shall notify the Commissioners in writing at least 14 days before the proposed collection, providing the following particulars and documentation—

- (a) his name, address and contact details;
- (b) the place of collection;
- (c) the unique register reference or references allocated to the approved basic material from which the forest reproductive material is to be collected, or, in the case of forest reproductive material of the category “source-identified”, the region of provenance; and
- (d) the proposed date, time and anticipated duration of the collection;

and shall afford the Commissioners or persons acting on the Commissioners' behalf such reasonable facilities as they may require to observe the collection so notified.

(2) Regulation 27(2) and (3) shall apply when the Commissioners or other persons on their behalf attend to observe a collection as provided for in paragraph (1) as if the attendance were an inspection carried out under regulation 27(1).

(3) This regulation shall not apply to the extraction of seed from cones or fruits.

**Production of forest reproductive material by subsequent vegetative propagation**

**12.** Subsequent multiplication by vegetative propagation from a single unit of approval may be used for the production of forest reproductive material only in the categories “selected”, “qualified” and “tested”.

**Master Certificates**

**13.**—(1) The owner of any forest reproductive material intended to be marketed which—

- (a) has been collected from approved basic material in accordance with regulation 11, or
- (b) is in the form of seed which has been extracted from cones or fruit collected from approved basic material in accordance with regulation 11,

shall, within nine months of the date of the collection, apply to the Commissioners in writing for the issue of a Master Certificate in respect of that material, providing the particulars set out in paragraph (2).

- (2) The particulars referred to in paragraph (1) are—
  - (a) the owner’s name, address and contact details;
  - (b) a description of the forest reproductive material collected, namely
    - (i) botanical name;
    - (ii) nature and category; and
    - (iii) quantity of material, as defined in paragraph (3), for which the certificate is sought;
  - (c) the type of basic material from which it is derived;
  - (d) the unique register reference for the basic material from which it is derived; and
  - (e) such other information as may be necessary to enable the Commissioners to complete the form on which the Master Certificate is to be issued in accordance with paragraph (8).
- (3) “Quantity of material” refers in paragraph (2)(b)(iii),
  - (a) in the case of seeds to their weight, and where those seeds have been extracted from cones or infructescences, additionally, to the volume of cones or fruit from which the seeds were extracted; and
  - (b) in the case of parts of plants, to their number.
- (4) The owner of forest reproductive material produced by means of subsequent multiplication by vegetative propagation permitted in accordance with regulation 12 shall within two months from the date the material used in such propagation is first collected apply for a new Master Certificate in respect of the forest reproductive material so produced, providing the particulars required under paragraph (2) above and stating that it has been produced by such means.
- (5) The owner of forest reproductive material which is produced by mixing forest reproductive material from approved basic material permitted under regulation 15(3) and (4) shall within two months from the date of mixing the material apply to the Commissioners for a Master Certificate in respect of the mixture so produced—
  - (a) providing the particulars required under paragraph (2);
  - (b) stating the register references of each of the components of the mixture in the case of mixtures permitted under regulation 15(3); and
  - (c) stating the years of ripening and the proportion of material from each year in the case of mixtures permitted under 15(4).
- (6) Any application required under this regulation to be made by an owner of forest reproductive material may be made by a person who is not the owner of the material if that person has the written authority of the owner to do so, and if he provides at the time of making such an application—
  - (a) details of the owner’s name and address, and
  - (b) a copy of the written authority.
- (7) The Commissioners shall issue to the owner, or other applicant authorised by the owner, of any forest reproductive material which they are satisfied has been collected or produced for purposes of marketing in accordance with this Part a Master Certificate in respect of the forest reproductive material and shall allocate to each certificate its own number.

(8) A Master Certificate issued under this regulation shall take the form of the document set out in—

- (a) Schedule 6, where the forest reproductive material to be certified is derived from seed sources or stands;
- (b) Schedule 7, where the forest reproductive material to be certified is derived from seed orchards or parents of family; and
- (c) Schedule 8, where the forest reproductive material to be certified is derived from clones or clonal mixtures.

(9) A Master Certificate issued in respect of forest reproductive material produced by mixing permitted under regulation 15(3) from seed sources and stands in the category “source-identified” shall certify such forest reproductive material as “reproductive material derived from a seed source”.

(10) A Master Certificate issued in respect of forest reproductive material produced from mixing permitted under regulation 15(3) of reproductive material derived from basic material which is neither autochthonous nor indigenous with basic material of unknown origin shall certify such forest reproductive material as being “of unknown origin”.

#### **Identification and separation of forest reproductive material during production**

**14.**—(1) Except for material which is mixed in accordance with regulation 15, no person shall keep forest reproductive material at any stage of production, including collection and during the course of marketing, other than in separate lots in respect of each unit of approval, and distinguished from each other by reference to the following criteria (“the identification criteria”)—

- (a) Master Certificate code and number (where a certificate has been issued);
- (b) botanical name;
- (c) category of forest reproductive material;
- (d) whether for multiple forestry purposes or a specific purpose, and if the latter, specifying that purpose;
- (e) type of basic material from which it is derived;
- (f) either—
  - (i) the reference number given to the approved basic material in the National Register, or in the case of approved EC basic material or approved Northern Ireland basic material, in the equivalent register drawn up and maintained by the relevant official body in accordance with Article 10 of the Directive; or
  - (ii) in the case of source-identified and selected forest reproductive material or forest reproductive material which is mixed in accordance with regulation 15, the identity code for the region of provenance from which the forest reproductive material is derived;
- (g) in the case of forest reproductive material derived from basic material in the form of a stand or seed source, whether the origin of the material is autochthonous, indigenous, or neither; or unknown;
- (h) in the case of seed units, the year of ripening;
- (i) the age and type of planting stock of seedlings or cuttings, whether undercuts, transplants or containerised;
- (j) whether the forest reproductive material is genetically modified or derived from basic material which consists of a genetically modified organism; and
- (k) in the case of mixed forest reproductive material permitted under regulation 15 clear identification of the components of the forest reproductive material so mixed.

(2) Without prejudice to the requirements of paragraph (1), in the case of forest reproductive material which is produced in accordance with regulation 12 by subsequent multiplication by vegetative propagation, forest reproductive material shall be kept in separate lots from other forest reproductive material produced from such propagation from the same basic material carried out on other occasions.

(3) The identification criteria and the information required under this regulation shall be documented either by labelling which clearly distinguishes each lot, or by any other method which has been approved by the Commissioners in writing prior to its use.

### **Permitted mixing of forest reproductive material**

**15.**—(1) Forest reproductive material in respect of which a Master Certificate has been obtained pursuant to these Regulations may be mixed during production to create a single lot in one of the ways described in paragraphs (3) and (4).

(2) A single lot of mixed forest reproductive material created in accordance with paragraph (1) shall be distinguished as a lot by reference to the identification criteria provided for in regulation 14(1)(a) to (k).

(3) Forest reproductive material may be mixed where it is derived from two or more units of approval within a single region of provenance and where the units of approval each fall within one of the categories “source-identified” or “selected”.

(4) Forest reproductive material of different years of ripening may be mixed where the material is derived from a single unit of approval.