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PHYTOSAN 16  
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#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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Subject: Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the production and marketing of forest reproductive material, amending Regulations (EU) 2016/2031 and 2017/625 of the European Parliament and of the Council and repealing Council Directive 1999/105/EC **(first reading)**  
- Adoption of the Council's position at first reading and of the statement of the Council's reasons

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1. On 5 July 2023 the Commission submitted its proposal<sup>1</sup>, based on Article 43(2) TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 13 December 2023<sup>2</sup>.
3. The European Parliament adopted its position at first reading on 24 April 2024<sup>3</sup>.

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<sup>1</sup> 11503/23 + ADD 1.

<sup>2</sup> OJ C, C/2024/1583, 5.3.2024, ELI: <http://data.europa.eu/eli/C/2024/1583/oj>.

<sup>3</sup> 10951/24.

4. The Permanent Representatives Committee confirmed on 19 December 2025 the provisional agreement reached by the co-legislators on the above Regulation<sup>4</sup>, after informal contacts had taken place between the Council and the European Parliament.
5. On 2 March 2026, the European Parliament's Committee on Agriculture and Rural Development (AGRI) confirmed the provisional agreement. Subsequently, its Chair sent a letter to the Chair of the Permanent Representatives Committee stating that the European Parliament should, at its second reading, approve the Council's position at first reading (following a legal-linguistic revision) without amendments<sup>5</sup>.
6. The Permanent Representatives Committee is asked to suggest that the Council adopt its position at first reading, as set out in 17102/25, and the statement of reasons, as set out in 17102/25 ADD 1, as an 'A' item at a forthcoming meeting, with Germany, Austria and Slovakia voting against and Slovenia abstaining.
7. The statements for the minutes of the Council are set out in the Addendum to this note.

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<sup>4</sup> 16169/25.

<sup>5</sup> 7031/26.