



EUROPEAN PARLIAMENT

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Plenary sitting

A7-0112/2014

14.2.2014

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council
on the production and making available on the market of plant reproductive
material (plant reproductive material law)
(COM(2013)0262 – C7-0121/2013 – 2013/0137(COD))

Committee on Agriculture and Rural Development

Rapporteur: Sergio Paolo Francesco Silvestris

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on the production and making available on the market of plant reproductive material (plant reproductive material law)

(COM(2013)0262 – C7-0121/2013 – 2013/0137(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0262),
 - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0121/2013),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Austrian Federal Council and the Netherlands House of Representatives, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Food Safety (A7-0112/2014),
1. Rejects the Commission proposal;
 2. Calls on the Commission to withdraw its proposal and submit a new one;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

5.2.2014

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

for the Committee on Agriculture and Rural Development

on the proposal for a regulation of the European Parliament and of the Council on the production and making available on the market of plant reproductive material (plant reproductive material law)
(COM(2013)0262 – C7-0121/2013 – 2013/0137(COD))

Rapporteur: Pilar Ayuso

SHORT JUSTIFICATION

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Agriculture and Rural Development to reject the Commission proposal for a regulation on the production and making available on the market of plant reproductive material based, in particular, on the following reasons:

- **The “One size fits all” approach**

Due to its broad variety, plant reproductive material is currently regulated by 12 directives, enabling legislation to be adapted to each specific case. Consequently, there is a risk that the “one size fits all” approach taken does not meet the different requirements of existing plant reproductive material and the needs of operators, consumers and competent authorities. Moreover, during the consultations held prior to this legislative proposal being drafted, both the sectors concerned and the Member States were of the opinion that the existing legislative structure was generally satisfactory, although they were open to it being reviewed when appropriate. In proposing that all the current directives be unified in one single legislative act, the Commission is not acting in response to a specific request from the Parties concerned.

- **Delegated and implementing acts**

Given the significant number of delegated and implementing acts foreseen in the proposal, it is very difficult to properly assess the future impact of the regulation.

- **Scope**

The proposal also covers forest reproductive material which is currently regulated by Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material. Apart from the fact that this specific sector is already covered by EU legislation, there is no apparent link with food safety (which has been one of the main arguments brought forward by the Commission when presenting the package in May 2013).

In previous discussions, Members of the Committee for the Environment, Public Health and Food Safety also expressed concerns in relation to plant reproductive material for ornamental purposes and propagating material intended for sale to home gardeners, the poor quality of the Commission's impact assessment, the extended remit of the Community Plant Variety Office (CPVO), vague definitions and unnecessary administrative burdens placed on Member States and operators (potentially leading to reduced choices and less transparency for consumers). Finally, many Members emphasised that EU legislation on plant reproductive material needs to facilitate and encourage the maintenance of biodiversity in agriculture and horticulture.

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Agriculture and Rural Development, as the committee responsible, to propose rejection of the Commission proposal.

PROCEDURE

Title	Production and making available on the market of plant reproductive material (plant reproductive material law)
References	COM(2013)0262 – C7-0121/2013 – 2013/0137(COD)
Committee responsible Date announced in plenary	AGRI 23.5.2013
Opinion by Date announced in plenary	ENVI 23.5.2013
Associated committee(s) - date announced in plenary	21.11.2013
Rapporteur Date appointed	Pilar Ayuso 19.6.2013
Discussed in committee	27.11.2013
Date adopted	30.1.2014
Result of final vote	+: 49 –: 0 0: 0
Members present for the final vote	Sophie Auconie, Pilar Ayuso, Sandrine Bélier, Biljana Borzan, Tadeusz Cymański, Spyros Danellis, Esther de Lange, Bas Eickhout, Edite Estrela, Elisabetta Gardini, Matthias Groote, Satu Hassi, Jolanta Emilia Hibner, Karin Kadenbach, Martin Kastler, Christa Klaß, Claus Larsen-Jensen, Jo Leinen, Corinne Lepage, Peter Liese, Zofija Mazej Kukovič, Linda McAvan, Radvilė Morkūnaitė-Mikulėnienė, Vladko Todorov Panayotov, Pavel Poc, Anna Rosbach, Oreste Rossi, Dagmar Roth-Behrendt, Richard Seeber, Bogusław Sonik, Claudiu Ciprian Tănăsescu, Glenis Willmott, Sabine Wils, Marina Yannakoudakis
Substitute(s) present for the final vote	Kriton Arsenis, Julie Girling, Jutta Haug, Filip Kaczmarek, James Nicholson, Vittorio Prodi, Christel Schaldemose, Birgit Schnieber-Jastram, Bart Staes, Rebecca Taylor, Vladimir Urutchev, Andrea Zanoni
Substitute(s) under Rule 187(2) present for the final vote	Hiltrud Breyer, Vojtěch Mynář, Bill Newton Dunn

PROCEDURE

Title	Production and making available on the market of plant reproductive material (plant reproductive material law)
References	COM(2013)0262 – C7-0121/2013 – 2013/0137(COD)
Date submitted to Parliament	6.5.2013
Committee responsible Date announced in plenary	AGRI 23.5.2013
Committee(s) asked for opinion(s) Date announced in plenary	ENVI 23.5.2013
Associated committee(s) Date announced in plenary	ENVI 21.11.2013
Rapporteur(s) Date appointed	Sergio Paolo Francesco Silvestris 30.5.2013
Discussed in committee	30.5.2013
Date adopted	11.2.2014
Result of final vote	+: 37 –: 2 0: 0
Members present for the final vote	John Stuart Agnew, Eric Andrieu, Liam Aylward, José Bové, Luis Manuel Capoulas Santos, Vasilica Viorica Dăncilă, Michel Dantin, Paolo De Castro, Albert Deß, Herbert Dorfmann, Hynek Fajmon, Iratxe García Pérez, Julie Girling, Martin Häusling, Esther Herranz García, Peter Jahr, Elisabeth Jeggle, Jarosław Kalinowski, Elisabeth Köstinger, Agnès Le Brun, Mairead McGuinness, James Nicholson, Marit Paulsen, Britta Reimers, Alfreds Rubiks, Giancarlo Scottà, Czesław Adam Siekierski, Sergio Paolo Francesco Silvestris, Alyn Smith, Ewald Stadler, Marc Tarabella, Janusz Wojciechowski
Substitute(s) present for the final vote	Pilar Ayuso, Francesca Barracciu, Spyros Danellis, Karin Kadenbach, Astrid Lulling
Substitute(s) under Rule 187(2) present for the final vote	Kriton Arsenis, Anne E. Jensen
Date tabled	14.2.2014