

31.1.2024

A9-0014/226

Amendment 226

Christophe Clergeau

on behalf of the S&D Group

Report

A9-0014/2024

Jessica Polfjärd

Plants obtained by certain new genomic techniques and their food and feed
(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))

Proposal for a regulation

Article 19 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

In cases where it is not feasible to provide an analytical method that detects, identifies and quantifies, if duly justified by the applicant *or* concluded by the European Union Reference Laboratory referred to in Article 32 of Regulation (EC) No 1829/2003 during the procedure referred to in Article 20(4), the modalities to comply with analytical method requirements shall be adapted as specified in the implementing act adopted in accordance with Article 27, point (e) and the guidance referred to in Article 29(2);

In cases where it is not feasible to provide an analytical method that detects, identifies and quantifies, if duly justified by the applicant *and* concluded by the European Union Reference Laboratory referred to in Article 32 of Regulation (EC) No 1829/2003 during the procedure referred to in Article 20(4), the modalities to comply with analytical method requirements shall be adapted as specified in the implementing act adopted in accordance with Article 27, point (e) and the guidance referred to in Article 29(2);

Or. en

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Proposal for a regulation

Article 19 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) *where appropriate*, a monitoring plan for environmental effects in accordance with Annex VII to Directive 2001/18/EC, including a proposal for the duration of the monitoring plan. ***This duration may be different from the duration of the authorisation. If***, based on the results of ***any release notified in accordance with Section 1***, the findings of the environmental risk assessment, the characteristics of the NGT plant, the characteristics and scale of its expected use and the characteristics of the receiving environment, in accordance with the implementing act adopted in accordance with Article 27, point (d), the ***applicant considers that the NGT plant does need a monitoring plan, the applicant*** may propose not to ***submit a*** monitoring plan.

(b) a monitoring plan for environmental effects in accordance with Annex VII to Directive 2001/18/EC, including a proposal for the duration of the monitoring plan. ***In the event that the application is a request for renewal and if based on the results of the monitoring report or considering*** the findings of the environmental risk assessment ***of any released Cat 2 NGT plant or food or feed containing or consisting of Cat 2 NGT plant***, the characteristics of the NGT plant, the characteristics and scale of its expected use and the characteristics of the receiving environment, in accordance with the implementing act adopted in accordance with Article 27, point (d), the ***competent authority*** may propose not to ***require the continuation of the*** monitoring plan

Or. en

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Proposal for a regulation

Article 20 – paragraph 4

Text proposed by the Commission

Amendment

4. The Union reference laboratory shall test and validate the method of detection, identification and quantification proposed by the applicant in accordance with Article 19(2) ***or assess whether the information provided by the applicant justifies the application of adapted modalities to comply with detection method requirements referred to in that paragraph.***

4. The Union reference laboratory shall test and validate the method of detection, identification and quantification proposed by the applicant in accordance with Article 19(2). ***If the applicant justifies the application of adapted modalities to comply with detection method requirements, the Union reference laboratory shall carry out its own research and analyses to confirm the claimed unfeasibility. In that case, the decision of the Union reference laboratory shall be motivated and be made public.***

Or. en

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A9-0014/229

Amendment 229
Christophe Clergeau
on behalf of the S&D Group

Report
Jessica Polfjärd

A9-0014/2024

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Proposal for a regulation
Article 32 a (new)

Text proposed by the Commission

Amendment

Article 32a

Penalties and withdrawal of the decision

Member States shall lay down the rules on penalties applicable in case of failure to disclose any information requested in the verification procedure or in the authorisation procedure. The competent authority may withdraw its decision.

The penalties provided for shall be effective, proportionate and dissuasive.

The withdrawal decision must be sent by registered letter to the beneficiary of the decision, who must be given 15 days to make observations. In that case, the marketing of the NGT plant or product is prohibited from the day following the date of receipt of the registered letter.

Member States shall notify the rules referred to in the first subparagraph to the Commission and the other Member States without delay. Any subsequent decision of penalties or withdrawal shall also be notified without delay.

Or. en

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A9-0014/230

Amendment 230

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A9-0014/2024

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Proposal for a regulation

Article 33 a (new)

Directive 98/44/EC

Article 4

Text proposed by the Commission

Amendment

Article 33a

Amendments to Directive 98/44/EC

In Article 8, the following paragraph 3 is inserted:

‘3. By way of derogation from paragraphs 1 and 2, the protection conferred by a patent on a biological material possessing specific characteristics as a result of the invention shall not extend to biological material possessing the same characteristics that is obtained independently of the patented biological material and from essentially biological processes, or to biological material obtained from such material through propagation or multiplication.’

Or. en

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Amendment 231

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Proposal for a regulation

Annex III – Part 2 – paragraph 1

Text proposed by the Commission

Amendment

Traits excluding the application of the incentives referred to in Article 22:
tolerance to herbicides.

Traits excluding the application *of the regime applicable to category 1 NGT plants and* of the incentives referred to in Article 22:

(1) tolerance to herbicides

(2) plants producing their own pesticides.

Or. en