

2.2.2024

A9-0014/228

**Amendment 228**

**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 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

2.2.2024

A9-0014/229

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

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

**A9-0014/2024**

**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

2.2.2024

A9-0014/230

**Amendment 230**  
**Christophe Clergeau**  
on behalf of the S&D Group

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

**A9-0014/2024**

**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

2.2.2024

A9-0014/231

**Amendment 231**

**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**

**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