

Amendment 336**Bert-Jan Ruissen**

on behalf of the ECR Group

Report**A9-0149/2024****Herbert Dorfmann**Production and marketing of plant reproductive material
(COM(2023)0414 – C9-0236/2023 – 2023/0227(COD))**Proposal for a regulation****Recital 36***Text proposed by the Commission*

(36) Farmers habitually exchange in kind small quantities of seeds in order to carry out dynamic management of their own seed. It is thus appropriate that a derogation from the established requirements is provided for the exchanges of small quantities of seeds between farmers. Such derogation could apply if those seeds do not belong to a variety for which plant variety rights have been granted in accordance with Council Regulation (EU) 2100/94⁽⁴¹⁾. **Member States** should be **allowed to define those small quantities for specific species per year**, in order to ensure that there is no misuse of such derogation impacting the marketing of seeds.

⁴¹ Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights (OJ L 227, 1.9.1994, p. 1).

Amendment

(36) Farmers habitually exchange in kind small quantities of seeds in order to carry out dynamic management of their own seed. It is thus appropriate that a derogation from the established requirements is provided for the exchanges of small quantities of seeds between farmers, **with maximum quantities to be set at Union level, and in such a way as to avoid risks for plant health**. Such derogation could apply if those seeds do not belong to a variety for which plant variety rights have been granted in accordance with Council Regulation (EU) 2100/94⁽⁴¹⁾. **The power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union** should be **delegated to the Commission in respect of supplementing this Regulation, in order to set up, for each species, the maximum quantity which may be exchanged**, in order to ensure that there is no misuse of such derogation impacting the marketing of seeds.

⁴¹ Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights (OJ L 227, 1.9.1994, p. 1).

Or. en

17.4.2024

A9-0149/337

Amendment 337

Bert-Jan Ruissen

on behalf of the ECR Group

Report

Herbert Dorfmann

Production and marketing of plant reproductive material
(COM(2023)0414 – C9-0236/2023 – 2023/0227(COD))

A9-0149/2024

Proposal for a regulation

Article 2 – paragraph 4 – point e a (new)

Text proposed by the Commission

Amendment

(e a) PRM produced by farmers for their own use in accordance with Regulation (EC) No 2100/94 where applicable.

Or. en

17.4.2024

A9-0149/338

Amendment 338

Bert-Jan Ruissen

on behalf of the ECR Group

Report

A9-0149/2024

Herbert Dorfmann

Production and marketing of plant reproductive material
(COM(2023)0414 – C9-0236/2023 – 2023/0227(COD))

Proposal for a regulation

Article 29 – title

Text proposed by the Commission

Amendment

PRM marketed to and between **gene
banks**, organisations and networks

PRM marketed to and between
conservation organisations and networks

Or. en

Justification

The title of the article needs to be precise

17.4.2024

A9-0149/339

Amendment 339

Bert-Jan Ruissen

on behalf of the ECR Group

Report

A9-0149/2024

Herbert Dorfmann

Production and marketing of plant reproductive material
(COM(2023)0414 – C9-0236/2023 – 2023/0227(COD))

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

By way of derogation from Articles 5 to 25, PRM may be marketed to, or between, **gene banks**, organisations and networks with a statutory objective, or an objective official notified to the competent authority, to conserve plant genetic resources, whereby any of the activities are carried out for non-profit purposes.

By way of derogation from Articles 5 to 25, PRM may be marketed to, or between, **conservation** organisations and networks **that are established and registered in the Union** with a statutory objective, or an objective official notified to the competent authority, to conserve plant genetic resources, whereby any of the activities are carried out for non-profit purposes.

Or. en

Justification

The scope and provisions in the article need to be precise

17.4.2024

A9-0149/340

Amendment 340

Bert-Jan Ruissen

on behalf of the ECR Group

Report

A9-0149/2024

Herbert Dorfmann

Production and marketing of plant reproductive material
(COM(2023)0414 – C9-0236/2023 – 2023/0227(COD))

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 3 – point a

Text proposed by the Commission

Amendment

(a) be listed in a register kept by those **gene banks**, organisations and networks with an appropriate description of that PRM;

(a) be listed in a register kept by those **conservation** organisations and networks with an appropriate description of that PRM, **in the event that it does not belong to a conservation variety registered in a national variety register referred to in Article 44(1), point (b)**;

Or. en

Justification

This amendment aims to correct amendment 156

17.4.2024

A9-0149/341

Amendment 341

Bert-Jan Ruissen

on behalf of the ECR Group

Report

A9-0149/2024

Herbert Dorfmann

Production and marketing of plant reproductive material
(COM(2023)0414 – C9-0236/2023 – 2023/0227(COD))

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 3 – point c

Text proposed by the Commission

Amendment

(c) be practically free from quality pests and any defects likely to impair its quality as a reproductive material, and have satisfactory vigour and dimensions in respect of its usefulness as PRM, and, in the case of seeds, have satisfactory germination capacity.

(c) be practically free from quality pests and any defects likely to impair its quality as a reproductive material, and have satisfactory vigour and dimensions, **for transparency** in respect of its usefulness as PRM, and, in the case of seeds, have satisfactory germination capacity.

Or. en

Justification

The amendment aims to retain the provisions on quality of the material, for reasons of transparency to its user

17.4.2024

A9-0149/342

Amendment 342

Bert-Jan Ruissen

on behalf of the ECR Group

Report

Herbert Dorfmann

Production and marketing of plant reproductive material
(COM(2023)0414 – C9-0236/2023 – 2023/0227(COD))

A9-0149/2024

Proposal for a regulation

Article 29 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Conservation organisations and networks falling within the scope of this Article shall be established and registered in the Union.

Or. en

17.4.2024

A9-0149/343

Amendment 343

Bert-Jan Ruissen

on behalf of the ECR Group

Report

A9-0149/2024

Herbert Dorfmann

Production and marketing of plant reproductive material
(COM(2023)0414 – C9-0236/2023 – 2023/0227(COD))

Proposal for a regulation

Article 39 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

However, no such import shall be allowed, and no such equivalence shall be recognised pursuant to paragraph 2, for the preservation mixtures such as those referred to in Article 22, and for PRM such as that subject to the derogations of Articles 26 - 30.

However, no such import shall be allowed, and no such equivalence shall be recognised pursuant to paragraph 2, for the preservation mixtures such as those referred to in Article 22, and for PRM such as that subject to the derogations of Articles 26 - 30, ***except where it originates in neighbouring countries that are part of the European Economic Area (EEA)*** .

Or. en

Justification

The amendment aims to put certain limits to the extension of derogations in amendment 196