

Amendment 344**Irène Tolleret**

on behalf of the Renew 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**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. 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**.

(36) Farmers habitually exchange in kind **or for monetary compensation covering only direct costs incurred** small quantities of seeds in order to carry out dynamic management of their own *seeds*. 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**. 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**.

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

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

Justification

The AGRI Report extends the regime for farmer-to-farmer exchanges from seeds only to PRM. This amendment aims at reinstating such regime to seeds only, in line with the

Commission proposal, to avoid increased phytosanitary risks which are especially dangerous for clones. In addition, the amendment aims at granting the possibility for farmers to exchange seeds for monetary compensation, that would only cover direct costs to avoid that farmers would fall into the category of professional seed market operators, losing the entitlement to the derogations foreseen in the proposal.

17.4.2024

A9-0149/345

Amendment 345

Irène Tolleret

on behalf of the Renew 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 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) ‘dynamic conservation’ means, for the purpose of Article 29, the preservation of genetic diversity within and between cultivated plant species, and includes both in situ conservation and ex situ conservation, with the aim of a sustainable use of plant genetic resources and agro-biodiversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining the potential to meet the needs and aspirations of present and future generations;

Or. en

Justification

The concept of “dynamic conservation” should only be applicable within the meaning of article 29 to avoid the misuse of this provision and create parallel uncontrolled markets and fraud.

17.4.2024

A9-0149/346

Amendment 346

Irène Tolleret

on behalf of the Renew 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 3 – paragraph 1 – point 35 b (new)

Text proposed by the Commission

Amendment

(35 b) ‘small packages’ means packages containing seed or material up to a maximum of:

(a) 2 kg for cereals;

(b) 2 kg for fodder plants, beet, oil and fibre plants;

(c) 20 kg for seed potatoes;

(d) 250 g for legumes;

(e) 25 g for onions, chervil, asparagus, spinach beet or chard, red beet or beetroot, turnips, water melon, gourd, marrows, carrots, radishes, scorzonera or black salsify, spinach, cornsalad or lamb's lettuce;

(f) 5 g for all other species of vegetables;

(g) 10 individuals for fruit and vine cuttings.

Or. en

Justification

In order to avoid that the derogations under Article 28 are misused for marketing to professional operators, the small packages benefiting from those derogations should include quantities genuinely addressed to final users (amateur gardeners). The calculation of those quantities (average quantities for sowing/planting 100 square meters) reflects the calculation made for the existing small packages for the marketing of vegetable varieties with no intrinsic value for commercial crop production (“vegetable amateur varieties”) in Annex II of Commission Directive 2009/145/EC.

17.4.2024

A9-0149/347

Amendment 347

Irène Tolleret

on behalf of the Renew 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 5 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) as seed exchanged *in kind* between farmers in accordance with Article 30;

(e) as seed exchanged between farmers in accordance with Article 30;

Or. en

Justification

The AGRI Report extends the regime for farmer-to-farmer exchanges from seeds only to PRM. This amendment aims at reinstating such regime to seeds only, in line with the Commission proposal, to avoid increased phytosanitary risks, which are especially dangerous for clones.

17.4.2024

A9-0149/348

Amendment 348

Irène Tolleret

on behalf of the Renew 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 6 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) as seed exchanged *in kind* between farmers in accordance with Article 30;

(d) as seed exchanged between farmers in accordance with Article 30;

Or. en

Justification

The AGRI Report extends the regime for farmer-to-farmer exchanges from seeds only to PRM. This amendment aims at reinstating such regime to seeds only, in line with the Commission proposal, to avoid increased phytosanitary risks, which are especially dangerous for clones.

17.4.2024

A9-0149/349

Amendment 349

Irène Tolleret

on behalf of the Renew 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 30 – title

Text proposed by the Commission

Amendment

Seed exchanged *in kind* between farmers

Seed exchanged between farmers

Or. en

Justification

The AGRI Report extends the regime for farmer-to-farmer exchanges from seeds only to PRM. This amendment aims at reinstating such regime to seeds only, in line with the Commission proposal, to avoid increased phytosanitary risks, which are especially dangerous for clones.

17.4.2024

A9-0149/350

Amendment 350

Irène Tolleret

on behalf of the Renew 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 30 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. By way of derogation from Articles 5 - 25, farmers may exchange seeds in kind, if such seeds **fulfil** all of the following conditions:

1. By way of derogation from Articles 5 **to** 25, farmers may exchange seeds in kind **or for monetary compensation covering only direct costs incurred**, if such seeds **fulfil** all of the following conditions:

Or. en

Justification

The AGRI Report extends the regime for farmer-to-farmer exchanges from seeds only to PRM. This amendment aims at reinstating such regime to seeds only, in line with the Commission proposal, to avoid increased phytosanitary risks which are especially dangerous for clones. In addition, the amendment aims at granting the possibility for farmers to exchange seeds for monetary compensation, that would only cover direct costs to avoid that farmers would fall into the category of professional seed market operators, and lose the entitlement to the derogations foreseen in the proposal.

17.4.2024

A9-0149/351

Amendment 351

Irène Tolleret

on behalf of the Renew 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 30 – paragraph 1 – point 4

Text proposed by the Commission

(4) the seed is used for dynamic management *of* farmer's own seed for the purpose of contributing to agro-diversity.

Amendment

(4) the seed is used for dynamic management *and conservation of the* farmer's own seed for the purpose of contributing to agro-diversity.

Or. en

Justification

The AGRI Report extends the regime for farmer-to-farmer exchanges from seeds only to PRM. This amendment aims at reinstating such regime to seeds only, in line with the Commission proposal, to avoid increased phytosanitary risks, which are especially dangerous for clones.