



2023/0227(COD)

5.12.2023

AMENDMENTS

60 - 432

Draft report
Herbert Dorfmann
(PE756.010v01-00)

Production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031, 2017/625 and 2018/848 of the European Parliament and of the Council, and repealing Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC (Regulation on plant reproductive material)

Proposal for a regulation
(COM(2023)0414 – C9-0236/2023 – 2023/0227(COD))

Amendment 60

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Title 1

Text proposed by the Commission

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on the production and marketing of plant
reproductive material in the Union,
amending Regulations (EU) 2016/2031,
2017/625 **and 2018/848 of the European
Parliament and of the Council**, and
repealing Council Directives 66/401/EEC,
66/402/EEC, 68/193/EEC, 2002/53/EC,
2002/54/EC, 2002/55/EC, 2002/56/EC,
2002/57/EC, 2008/72/EC and 2008/90/EC
(Regulation on plant reproductive material)
(Text with EEA relevance)

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on the production and marketing of plant
reproductive material in the Union,
amending Regulations (EU) 2016/2031,
2017/625 , and repealing Council
Directives 66/401/EEC, 66/402/EEC,
68/193/EEC, 2002/53/EC, 2002/54/EC,
2002/55/EC, 2002/56/EC, 2002/57/EC,
2008/72/EC and 2008/90/EC (Regulation
on plant reproductive material)
(Text with EEA relevance)

Or. en

Justification

The Organic Regulation 2018/848 has been applied successfully for less than two years, after lengthy negotiations between institutions with co-decision powers. The abrogation of its specific rules regarding organic heterogeneous material cannot be accepted. There is no reason to justify changes to the definition of organic breeding, and to the regime of OHM. The horizontal seed marketing legislation cannot disregard the complexity of the organic seed database systems, and undermine the ambitious objectives set out by a very newly adopted directly applicable legal act.

Amendment 61

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Citation 4 a (new)

Text proposed by the Commission

Amendment

***Having regard to the United Nations
Declaration on the Rights of Peasants and
Other People Working in Rural Areas of***

Or. en

Amendment 62

Daniel Buda

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) However, the rules on production and marketing of PRM need to be adapted to the scientific and technical developments in the areas of agricultural and horticultural production techniques and plant breeding. Moreover, the legislation needs to be updated on the basis of changes in international standards and experience gained by the application of the PRM Directives. Those rules need to be clarified in order to facilitate a more harmonised implementation. Therefore, the PRM marketing Directives should be replaced by a single Regulation on the production and marketing of PRM within the Union.

Amendment

(3) However, the rules on production and marketing of PRM need to be adapted to the scientific and technical developments in the areas of agricultural and horticultural production techniques and plant breeding. Moreover, the legislation needs to be updated on the basis of changes in international standards and experience gained by the application of the PRM Directives. Those rules need to be clarified ***and updated*** in order to facilitate a more harmonised implementation. Therefore, the PRM marketing Directives should be replaced by a single Regulation on the production and marketing of PRM within the Union. ***A single Regulation such as this would provide a clearer and more efficient framework for the production and marketing of PRM, hence contributing to enhancing the safety and quality of agricultural and horticultural products throughout the European Union.***

Or. ro

Amendment 63

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Recital 4

(4) PRM constitutes the starting material for plant production in the Union. Therefore, it is critical for the production of raw material for food and feed purposes and for the efficient use of plant resources. It contributes to environmental protection and the quality of the food chain and food supply in the Union as a whole. In this regard, the availability, quality and **diversity of PRM** appears to be of outmost importance to achieve the transition to sustainable food systems called for in the Farm to Fork Strategy³⁶, agriculture, horticulture, environmental protection, climate change mitigation and adaptation, food and feed security, and the economy in general.

(4) PRM constitutes the starting material for plant production in the Union. Therefore, it is critical for the production of raw material for food and feed purposes and for the efficient use of plant resources. It contributes to environmental protection and the quality of the food chain and food supply in the Union as a whole. In this regard, the availability **high** quality and **diverse sources PRM including locally adapted varieties that can have the benefit of having a higher tolerance to local environmental conditions** appears to be of outmost importance to achieve the transition to sustainable food systems called for in the Farm to Fork Strategy³⁶, agriculture, horticulture, environmental protection, climate change mitigation and adaptation, food and feed security, and the economy in general.

³⁶ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system (COM(2020) 381 final).

³⁶ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system (COM(2020) 381 final).

Or. en

Amendment 64

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 4

(4) PRM constitutes the starting material for plant production in the Union. Therefore, it is critical for the production of raw material for food and feed purposes

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and for the efficient use of plant resources. It **contributes** to environmental protection and the quality of the food chain and food supply in the Union as a whole. In this regard, the availability, quality and diversity of PRM appears to be of outmost importance to achieve the transition to sustainable food systems called for in the Farm to Fork Strategy³⁶, agriculture, horticulture, environmental protection, climate change mitigation and adaptation, food and feed security, and the economy in general.

³⁶ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system (COM(2020) 381 final).

and for the efficient use of plant resources. It **can contribute** to environmental protection and the quality of the food chain and food supply in the Union as a whole. In this regard, the availability, quality and diversity of PRM appears to be of outmost importance to achieve the transition to sustainable food systems called for in the Farm to Fork Strategy³⁶, agriculture, horticulture, environmental protection, climate change mitigation and adaptation, food and feed security, and the economy in general.

³⁶ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system (COM(2020) 381 final).

Or. en

Amendment 65

Daniel Buda

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) In order to achieve this transition to sustainable food systems, the Union legislation should therefore take account of the need to ensure the adaptability of the PRM production to the changing agricultural, horticultural and environmental conditions, to face the challenges of climate change, to protect and restore biodiversity and to meet increasing farmers' and consumers' expectations related to quality and sustainability of PRM.

Amendment

(5) In order to achieve this transition to sustainable **and safe** food systems, the Union legislation should therefore take account of the need to ensure the adaptability of the PRM production to the changing agricultural, horticultural and environmental conditions, **at a Member State and an EU level**, to face the challenges of climate change, to protect and restore biodiversity and to meet increasing farmers' and consumers' expectations related to quality, **safety** and sustainability of PRM.

Amendment 66**Irène Tolleret****Proposal for a regulation****Recital 5***Text proposed by the Commission*

(5) In order to achieve this transition to sustainable food systems, the Union legislation should therefore take account of the need to ensure the adaptability of the PRM production to the changing agricultural, horticultural and environmental conditions, to face the challenges of climate change, to protect and restore biodiversity and to meet increasing farmers' and consumers' expectations related to quality and sustainability of PRM.

Amendment

(5) In order to achieve this transition to sustainable food systems, the Union legislation should therefore take account of the need to ensure the adaptability of the PRM production to the changing agricultural, horticultural and environmental conditions, to face the challenges of climate change, to protect and restore biodiversity ***while ensuring food security*** and to meet increasing farmers' and consumers' expectations related to quality and sustainability of PRM.

Or. en

Amendment 67**Isabel Carvalhais****Proposal for a regulation****Recital 5***Text proposed by the Commission*

(5) In order to achieve this transition to sustainable food systems, the Union legislation should therefore take account of the need to ensure the adaptability of the PRM production to the changing agricultural, horticultural and environmental conditions, to face the challenges of climate change, to protect ***and*** restore biodiversity and to meet increasing farmers' and consumers' expectations related to quality and sustainability of PRM.

Amendment

(5) In order to achieve this transition to sustainable food systems, the Union legislation should therefore take account of the need to ensure the adaptability of the PRM production to the changing agricultural, horticultural and environmental conditions, to face the challenges of climate change, to protect, restore ***and promote*** biodiversity and to meet increasing farmers' and consumers' expectations related to quality, ***diversity*** and sustainability of PRM.

Amendment 68**Martin Häusling**

on behalf of the Verts/ALE Group

Proposal for a regulation**Recital 6***Text proposed by the Commission*

(6) The scope of this Regulation should only cover the PRM of certain genera and species of increased economic and social importance. That importance should be assessed depending on whether such genera and species represent a significant area of production and value in the Union, on their role for the security of food and feed production in the Union, and on whether they are marketed in at least two Member States. That area of production and value may concern several technical aspects. Depending on the circumstances, it may be calculated on the basis of factors such as the total size of productive land in several different areas of the Union, the marketing value of PRM in relation to specific sectors, or the demands for those species by farmers, final users and industry.

Amendment

(6) The scope of this Regulation should only cover the PRM of certain genera and species of increased economic and social importance. That importance should be assessed depending on whether such genera and species represent a significant area of production and value in the Union, on their role for the security of food and feed production in the Union, and on whether they are marketed in at least two Member States. That area of production and value may concern several technical aspects. Depending on the circumstances, it may be calculated on the basis of factors such as the total size of productive land in several different areas of the Union, the marketing value of PRM in relation to specific sectors, or the demands for those species by farmers, final users and industry. ***However, it should be possible under certain conditions for a Member State, to add or remove of a genus or species for the marketing of PRM on its territory.***

Amendment 69**Norbert Lins****Proposal for a regulation****Recital 6***Text proposed by the Commission**Amendment*

(6) The scope of this Regulation should only cover the PRM of certain genera and species of increased economic and social importance. That importance should be assessed depending on whether such genera and species represent a significant area of production and value in the Union, on their role for the security of food and feed production in the Union, and on whether they are marketed in at least two Member States. That area of production and value may concern several technical aspects. Depending on the circumstances, it may be calculated on the basis of factors such as the total size of productive land in several different areas of the Union, the marketing value of PRM in relation to specific sectors, or the demands for those species by farmers, final users and industry.

(6) The scope of this Regulation should only cover the PRM of certain genera and species of increased economic and social importance. That importance should be assessed depending on whether such genera and species represent a significant area of production and value in the Union, on their role for the security of food and feed production in the Union, and on whether they are marketed in at least two Member States. That area of production and value may concern several technical aspects. Depending on the circumstances, it may be calculated on the basis of factors such as the total size of productive land in several different areas of the Union, the marketing value of PRM in relation to specific sectors, or the demands for those species by farmers, final users and industry. ***Due to other application objectives, separate regulations should be created for wild plant species.***

Or. de

Justification

Wild plant seeds play no role in securing food and feed production. They serve to preserve genetic resources and biodiversity.

Amendment 70

Irène Tolleret

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) Furthermore, some varieties may have certain characteristics that, when cultivated under certain conditions, could have undesirable agronomic effects that would undermine the objective of the Regulation to contribute to the sustainability of agricultural production. This objective can only be achieved if such

Amendment

(8) Furthermore, some varieties may have certain characteristics that, when cultivated under certain conditions, could have undesirable agronomic effects that would undermine the objective of the Regulation to contribute to the sustainability of agricultural production. This objective can only be achieved if such

varieties are subject to appropriate cultivation conditions under which those undesirable agronomic effects are avoided. Those conditions should apply to the cultivation of those varieties for the production of food, feed or industrial materials and not only when intended for the production and marketing of PRM. Therefore, this Regulation should cover the conditions under which those varieties are cultivated, also for the production of food, feed or other products.

varieties are subject to appropriate cultivation conditions ***established at EU level and*** under which those undesirable agronomic effects are avoided. Those conditions should apply to the cultivation of those varieties for the production of food, feed or industrial materials and not only when intended for the production and marketing of PRM. Therefore, this Regulation should cover the conditions under which those varieties are cultivated, also for the production of food, feed or other products.

Or. en

Justification

Those conditions should be established at EU level to avoid distortion of competition among Member States.

Amendment 71 **Irène Tolleret**

Proposal for a regulation **Recital 12**

Text proposed by the Commission

(12) This Regulation should cover neither PRM exported to third countries, nor PRM used solely for official testing, breeding, inspections, exhibitions or scientific purposes. This is because such categories of PRM do not require particular harmonised identity or quality standards and do not compromise the identity and quality of other PRM marketed in the Union.

Amendment

(12) This Regulation should cover neither PRM exported to third countries, nor PRM used solely for official testing, breeding, inspections, exhibitions or scientific purposes, ***including on-farm research***. This is because such categories of PRM do not require particular harmonised identity or quality standards and do not compromise the identity and quality of other PRM marketed in the Union.

Or. en

Amendment 72 **Isabel Carvalhais**

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) This Regulation should cover neither PRM exported to third countries, nor PRM ***used solely*** for official testing, breeding, inspections, exhibitions or scientific purposes. This is because such categories of PRM do not require particular harmonised identity or quality standards and do not compromise the identity and quality of other PRM marketed in the Union.

Amendment

(12) This Regulation should cover neither PRM exported to third countries, nor PRM ***sold or transferred in any way*** for official testing, breeding, inspections, exhibitions or scientific purposes. This is because such categories of PRM do not require particular harmonised identity or quality standards and do not compromise the identity and quality of other PRM marketed in the Union.

Or. en

Amendment 73
Luke Ming Flanagan
on behalf of The Left Group

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) This Regulation should not cover PRM sold or transferred in any other way, whether free of charge or not, between any persons for their own ***private use and outside their trade***. It would be disproportionate to set out rules for such use of PRM, as this kind of transfer is usually limited to ***very*** small amounts, has no commercial purposes ***and is restricted to private activities***.

Amendment

(13) This Regulation should not cover PRM sold or transferred in any other way, whether free of charge or not, between any persons for their own ***use***. It would be disproportionate to set out rules for such use of PRM, as this kind of transfer is usually limited to ***relatively*** small amounts, ***and*** has no commercial purposes;

Or. en

Amendment 74
Isabel Carvalhais

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) This Regulation should not cover PRM sold or transferred in any other way, whether free of charge or not, between any persons for their own private use and outside their **trade**. It would be disproportionate to set out rules for such use of PRM, as this kind of transfer is usually limited to very small amounts, has no commercial purposes and is restricted to private activities.

Amendment

(13) This Regulation should not cover PRM sold or transferred in any other way, whether free of charge or not, between any persons for their own private use and outside their **professional activity**. It would be disproportionate to set out rules for such use of PRM, as this kind of transfer is usually limited to very small amounts, has no commercial purposes and is restricted to private activities.

Or. en

Amendment 75
Martin Häusling

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) This Regulation should not cover PRM sold or transferred in any other way, whether free of charge or not, between any persons **for their own private use and outside their trade**. It would be disproportionate to set out rules for such use of PRM, as this kind of transfer is usually limited to very small amounts, has no commercial purposes and is restricted to private activities.

Amendment

(13) This Regulation should not cover PRM sold or transferred in any other way, whether free of charge or not, between any persons. It would be disproportionate to set out rules for such use of PRM, as this kind of transfer is usually limited to very small amounts, has no commercial purposes and is restricted to private activities.

Or. en

Amendment 76
Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 13 a (new)

Text proposed by the Commission

Amendment

(13 a) This Regulation should not cover

PRM accessed, sold or transferred in any way, whether free of charge or not, for the purpose of the conservation and sustainable use of plant genetic resources and agro-biodiversity, as this type of PRM does not require particular harmonised identity or quality standards and does not compromise the identity and quality of other PRM marketing in the Union.

Or. en

Amendment 77

Daniel Buda

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) In accordance with those standards, compliance of PRM with the requirements for the categories pre-basic, basic or certified should be confirmed by inspections, sampling, testing and official control plot testing carried out by the competent authorities ('official certification') and should be attested by an official label.

Amendment

(18) In accordance with those standards, compliance of PRM with the requirements for the categories pre-basic, basic or certified should be confirmed by inspections, sampling, testing and official control plot testing carried out by the ***national*** competent authorities ('official certification') and should be attested by an official label, ***in such a way as to ensure, inter alia, the quality and safety of PRM.***

Or. ro

Amendment 78

Isabel Carvalhais

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Specific rules should be established for the production and marketing of ***clones***, selected clones, ***multiclonal mixtures*** and polyclonal PRM, due to ***their*** increased importance and use in the PRM sector. In

Amendment

(19) Specific rules should be established for the production and marketing of selected clones, and ***of*** polyclonal PRM, due to ***its*** increased importance and use in the PRM sector. In order to ensure

order to ensure transparency, informed choices for their users and effective official controls, the clones should be registered in a special public register established by the competent authorities. ***Rules for the maintenance of the clones should also be established to ensure their preservation and identification.***

transparency, informed choices for their users and effective official controls, the ***selected clones and the polyclonal PRM*** should be registered in a special public register established by the competent authorities.

Or. en

Amendment 79
Isabel Carvalhais

Proposal for a regulation
Recital 19 a (new)

Text proposed by the Commission

Amendment

(19 a) Rules for the in vitro production of clones and their marketing should also be established.

Or. en

Amendment 80
Daniel Buda

Proposal for a regulation
Recital 23

Text proposed by the Commission

Amendment

(23) Rules should be adopted for the labelling of PRM to ensure the appropriate identification of that material per category through the attestation of compliance with the respective requirements concerning pre-basic, basic, certified and standard seed and material.

(23) Rules should be adopted for the labelling of PRM to ensure the appropriate identification of that material per category through the attestation of compliance with the respective requirements concerning pre-basic, basic, certified and standard seed and material. ***The inclusion on labels of key details such as species and variety, purity and treatments, makes it easier to monitor and control the quality of PRM, and for consumers to understand what this actually contains.***

Amendment 81**Daniel Buda****Proposal for a regulation****Recital 25***Text proposed by the Commission*

(25) The official label should be printed and affixed by authorised professional operators and under the official supervision of the competent authorities. However, and since certain professional operators may not have the resources to carry out all the certification activities and print official labels, it should be provided that any certification steps may also be carried out by the competent authorities upon request of professional operators.

Amendment

(25) The official label should be printed and affixed by authorised professional operators and under the official supervision of the competent authorities. However, and since certain professional operators may not have the resources to carry out all the certification activities and print official labels, it should be provided that any certification steps may also be carried out by the competent authorities upon request of professional operators. ***It is important that financial resources be identified at EU level for distribution to national competent authorities with a view to ensuring the effective certification and printing of official labels.***

Amendment 82**Daniel Buda****Proposal for a regulation****Recital 29***Text proposed by the Commission*

(29) Seeds are frequently marketed in varietal mixtures of same species or species mixtures. However seeds of genera or species, covered by this Regulation, should be allowed to be produced and marketed in mixtures only with seeds of the genera or species covered by this Regulation. This is necessary to ensure that the respective production and marketing

Amendment

(29) Seeds are frequently marketed in varietal mixtures of same species or species mixtures. However seeds of genera or species, covered by this Regulation, should be allowed to be produced and marketed in mixtures only with seeds of the genera or species covered by this Regulation. This is necessary to ensure that the respective production and marketing

standards are respected. However, Member States should have the possibility to allow the production and marketing of a mixture of seeds covered by this Regulation, with seeds not belonging to genera or species covered by this Regulation, for the purposes of conservation of genetic resources and preservation of the natural environment. This is because those species are the ones most appropriate for the purpose of that preservation. Rules should be set out concerning those mixtures to ensure their identity and quality.

standards are respected ***and to ensure the right quality and safety***. However, Member States should have the possibility to allow the production and marketing of a mixture of seeds covered by this Regulation, with seeds not belonging to genera or species covered by this Regulation, for the purposes of conservation of genetic resources and preservation of the natural environment. This is because those species are the ones most appropriate for the purpose of that preservation. ***Specific and proportionate*** rules should be set out concerning those mixtures to ensure their identity, ***safety*** and quality.

Or. ro

Amendment 83 **Daniel Buda**

Proposal for a regulation **Recital 31**

Text proposed by the Commission

(31) Control plot tests should be conducted to verify the varietal identity and purity of individual seed lots. Specific rules should be set out concerning those tests on pre-basic, basic, certified and standard seed, on the basis of the applicable international standards and the experience gained by the application of the PRM marketing Directives.

Amendment

(31) Control plot tests should be conducted to verify the varietal identity, ***quality*** and purity of individual seed lots. Specific rules should be set out concerning those tests on pre-basic, basic, certified and standard seed, on the basis of the applicable international standards and the experience gained by the application of the PRM marketing Directives. ***The results of these checks should provide clear and verifiable information to serve as a basis for the certification and subsequent labelling of seeds. The implementation of stringent rules such as these will ensure seed integrity and quality, thereby helping to promote sustainable agricultural production and to protect the interests of both farmers and consumers.***

Or. ro

Amendment 84

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) Control plot tests should be conducted to verify the varietal identity and purity of individual seed lots. Specific rules should be set out concerning those tests on pre-basic, basic, certified **and standard** seed, on the basis of the applicable international standards and the experience gained by the application of the PRM marketing Directives.

Amendment

(31) Control plot tests should be conducted to verify the varietal identity and purity of individual seed lots. Specific rules should be set out concerning those tests on pre-basic, basic **and** certified seed, on the basis of the applicable international standards and the experience gained by the application of the PRM marketing Directives.

Or. en

Amendment 85

Isabel Carvalhais

Proposal for a regulation

Recital 32

Text proposed by the Commission

(32) Certain types of varieties do not fulfil the established requirements concerning distinctness, uniformity and stability. However, they are important for the conservation and sustainable use of plant genetic resources. They are traditionally grown or new locally produced varieties under specific local conditions and adapted to those conditions. They are characterised, in particular, by reduced uniformity due to **a high level of** genetic and phenotypical diversity between individual reproductive units. Those varieties **are** referred to as ‘conservation varieties’. The production and marketing of those varieties contribute to the objectives of the International Treaty on Plant Genetic

Amendment

(32) Certain types of varieties do not fulfil the established requirements concerning distinctness, uniformity and stability. However, they are important for the conservation and sustainable use of plant genetic resources, **which are indispensable for crop genetic improvement and are essential in adapting to unpredictable environmental changes and future needs**. They are traditionally grown or new locally produced varieties under specific local conditions and adapted to those conditions. They are characterised, in particular, by reduced uniformity due to genetic and phenotypical diversity between individual reproductive units. Those varieties **were**

Resources for Food and Agriculture to promote the conservation and sustainable use of plant genetic resources for food and agriculture ⁽⁴⁰⁾). As a party to the Treaty the Union has committed to support those objectives.

previously referred to as ‘conservation varieties’. ***It is appropriate to acknowledge that the conservation of genetic resources is a dynamic process and that newly bred varieties should be included. As such, the name ‘diversity varieties’ would be more appropriate.*** The production and marketing of those varieties contribute to the objectives of the International Treaty on Plant Genetic Resources for Food and Agriculture to promote the conservation and sustainable use of plant genetic resources for food and agriculture ⁽⁴⁰⁾). As a party to the Treaty the Union has committed to support those objectives.

⁴⁰ Council Decision 2004/869/EC of 24 February 2004 concerning the conclusion, on behalf of the European Community, of the International Treaty on Plant Genetic Resources for Food and Agriculture (OJ L 378, 23.12.2004, p. 1).

⁴⁰ Council Decision 2004/869/EC of 24 February 2004 concerning the conclusion, on behalf of the European Community, of the International Treaty on Plant Genetic Resources for Food and Agriculture (OJ L 378, 23.12.2004, p. 1).

Or. en

Amendment 86

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 32

Text proposed by the Commission

(32) Certain types of varieties do not fulfil the established requirements concerning distinctness, uniformity and stability. However, they are important for the conservation and sustainable use of plant genetic resources. They are traditionally grown or new locally produced varieties under specific local conditions and adapted to those conditions. They are characterised, in particular, by reduced uniformity due to a **high** level of genetic and phenotypical diversity between individual reproductive units. Those

Amendment

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varieties are referred to as ‘conservation varieties’. The production and marketing of those varieties contribute to the objectives of the International Treaty on Plant Genetic Resources for Food and Agriculture to promote the conservation and sustainable use of plant genetic resources for food and agriculture ⁽⁴⁰⁾. As a party to the Treaty the Union has committed to support those objectives.

⁴⁰ Council Decision 2004/869/EC of 24 February 2004 concerning the conclusion, on behalf of the European Community, of the International Treaty on Plant Genetic Resources for Food and Agriculture (OJ L 378, 23.12.2004, p. 1).

varieties are referred to as ‘conservation varieties’. The production and marketing of those varieties contribute to the objectives of the International Treaty on Plant Genetic Resources for Food and Agriculture to promote the conservation and sustainable use of plant genetic resources for food and agriculture ⁽⁴⁰⁾. As a party to the Treaty the Union has committed to support those objectives.

⁴⁰ Council Decision 2004/869/EC of 24 February 2004 concerning the conclusion, on behalf of the European Community, of the International Treaty on Plant Genetic Resources for Food and Agriculture (OJ L 378, 23.12.2004, p. 1).

Or. en

Justification

The diversity for certain varieties of trees used for conservation purposes can sometimes be relatively low due to the mode of reproduction.

Amendment 87

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Recital 33

Text proposed by the Commission

(33) In view of those special characteristics of the conservation varieties, and by way of derogation from the established requirements for production and marketing, the production and marketing of PRM belonging to them should be allowed under less stringent requirements. That objective is in line with the principles of the European Green Deal, and in particular, with the principle of protection of the biodiversity. It is thus appropriate to allow for that material to comply with the requirements for standard

Amendment

(33) In view of those special characteristics of the conservation varieties, and by way of derogation from the established requirements for production and marketing, the production and marketing of PRM belonging to them should be allowed under less stringent requirements. That objective is in line with the principles of the European Green Deal, and in particular, with the principle of protection of the biodiversity, ***and because such categories of PRM do not have particular harmonised identity and do not***

material for the species concerned. That PRM belonging to conservation varieties should therefore be labelled with the indication ‘Conservation varieties’. ***Those varieties should also be registered, to enable their control by the competent authorities and guarantee the informed choices for their users and the effectiveness of official controls.***

compromise the identity and quality of other PRM marketed in the Union. It is thus appropriate to allow for that material to comply with the requirements for standard material for the species concerned. That PRM belonging to conservation varieties should therefore be labelled with the indication ‘Conservation varieties’;

Or. en

Amendment 88

Isabel Carvalhais

Proposal for a regulation

Recital 33

Text proposed by the Commission

(33) In view of those special characteristics of the ***conservation*** varieties, and by way of derogation from the established requirements for production and marketing, the production and marketing of PRM belonging to them should be allowed under less stringent requirements. That objective is in line with the principles of the European Green Deal, and in particular, with the principle of protection of the biodiversity. It is thus appropriate to allow for that material to comply with the requirements for standard material for the species concerned. That PRM belonging to ***conservation*** varieties should therefore be labelled with the indication ‘***Conservation*** varieties’. Those varieties should also be registered, to enable their control by the competent authorities and guarantee the informed choices for their users and the effectiveness of official controls.

Amendment

(33) In view of those special characteristics of the ***diversity*** varieties, and by way of derogation from the established requirements for production and marketing, the production and marketing of PRM belonging to them should be allowed under less stringent requirements. That objective is in line with the principles of the European Green Deal, and in particular, with the principle of protection of the biodiversity. It is thus appropriate to allow for that material to comply with the requirements for standard material for the species concerned. That PRM belonging to ***diversity*** varieties should therefore be labelled with the indication ‘***Diversity*** varieties’. Those varieties should also be registered, to enable their control by the competent authorities and guarantee the informed choices for their users and the effectiveness of official controls.

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Amendment 89

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 35

Text proposed by the Commission

Amendment

(35) Many gene banks, organisations and networks operate in the Union with an objective to conserve plant genetic resources. In order to facilitate their activity, it is appropriate to allow that PRM which is marketed to them, or among them, derogates from the established production and marketing requirements, and that instead it complies with less stringent rules.

deleted

Or. en

Justification

Gene banks should be out of the scope of this regulation.

Amendment 90

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Recital 35

Text proposed by the Commission

Amendment

(35) Many gene banks, organisations and networks operate in the Union with an objective to conserve plant genetic resources. In order to facilitate *their* activity, it is appropriate to allow that PRM which is marketed to them, or among them, derogates from the established production and marketing requirements, *and that instead it complies with less stringent rules.*

(35) Many gene banks, organisations and networks operate in the Union with an objective to conserve plant genetic resources. In order to facilitate *this important* activity, *which is not attractive to commercial operators as it is not economically significant*, it is appropriate to allow that PRM which is marketed to them, or among them, derogates from the established production and marketing requirements;

Amendment 91**Irène Tolleret****Proposal for a regulation****Recital 35***Text proposed by the Commission*

(35) Many **gene banks**, organisations and networks operate in the Union with an objective to conserve plant genetic resources. In order to facilitate their activity, it is appropriate to allow that PRM which is marketed to them, or among them, derogates from the established production and marketing requirements, and that instead it complies with less stringent rules.

Amendment

(35) Many **conservation** organisations and networks operate in the Union with an objective to conserve plant genetic resources. In order to facilitate their activity, it is appropriate to allow that PRM which is marketed to them, or among them, derogates from the established production and marketing requirements, and that instead it complies with less stringent rules.

Or. en

Justification

Public gene banks are not marketing PRM, but giving access to their Plant Genetic Ressources for Food and Agriculture (PGRFA) conserved, according to the rules of the International Treaty on PGRFA.

Amendment 92**Isabel Carvalhais****Proposal for a regulation****Recital 35***Text proposed by the Commission*

(35) Many **gene banks**, organisations and networks operate in the Union with an objective to conserve plant genetic resources. In order to facilitate their activity, it is appropriate to allow that PRM which is marketed **to them, or among** them, derogates from the established production and marketing requirements, and that instead it complies with less stringent rules.

Amendment

(35) Many organisations and networks operate in the Union with an objective to conserve plant genetic resources. In order to facilitate their activity, it is appropriate to allow that PRM which is marketed **by them, or within** them, derogates from the established production and marketing requirements, and that instead it complies with less stringent rules.

Amendment 93

Martin Häusling

on behalf of the Verts/ALE Group

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 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 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.

Amendment 94

Isabel Carvalhais

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

Amendment

(36) Farmers habitually exchange small quantities of seeds in order to carry out dynamic ***conservation*** of their own ***PRM***

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).

and contributing to agro-biodiversity. It is thus appropriate that a derogation from the established requirements is provided for the exchanges of *PRM, as established in the International Treaty on Plant Genetic Resources for Food and Agriculture provision on farmer's rights to exchange farm-saved seeds and/or propagating material*.

Or. en

Amendment 95
Luke Ming Flanagan
 on behalf of The Left Group

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.

Amendment

(36) Farmers habitually exchange *for monetary compensation and* in kind, *relatively* small quantities of *PRM including* 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 *these* 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 *these* quantities for specific species per year, *while ensuring* no misuse of *this power that curtails the right of farmers to*

exchange PRM including seeds as they have done for thousands of years.

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

Amendment 96 **Irène Tolleret**

Proposal for a regulation **Recital 38**

Text proposed by the Commission

(38) The use of PRM that does not belong to a variety pursuant to this Regulation, but rather belongs to a plant grouping within a single botanical taxon, with a high level of genetic and phenotypic diversity between individual reproductive units ('heterogeneous material'), could have benefits especially in organic production and low input agriculture, through improving resilience and increasing the within-species genetic diversity of cultivated plants. Therefore, PRM of heterogeneous material should be allowed to be produced and marketed without having to comply with the requirements for variety registration and the other production and marketing requirements of this Regulation. Specific requirements for the production and marketing of that material should be set out.

Amendment

(38) The use of PRM that does not belong to a variety pursuant to this Regulation, but rather belongs to a plant grouping within a single botanical taxon, with a high level of genetic and phenotypic diversity between individual reproductive units ('heterogeneous material'), could have benefits especially in organic production and low input agriculture, through improving resilience and increasing the within-species genetic diversity of cultivated plants. Therefore, PRM of heterogeneous material, ***with the exception of fodder plants***, should be allowed to be produced and marketed without having to comply with the requirements for variety registration and the other production and marketing requirements of this Regulation. Specific requirements for the production and marketing of that material should be set out.

Or. en

Justification

In line with the rapporteur's opinion.

Amendment 97
Luke Ming Flanagan
on behalf of The Left Group

Proposal for a regulation
Recital 39

Text proposed by the Commission

(39) Union production and marketing of PRM needs to comply with the highest possible standards. Therefore, the import of PRM from third countries should only be allowed if an assessment of their applicable identity and quality standards and certification system establishes that such PRM fulfils requirements equivalent to those applicable to PRM produced and marketed in the Union. Such assessment should be based on a thorough examination of the information provided by the third country and its relevant legislation. It should also be based on the satisfactory outcome of an audit carried out by the Commission in the respective third country, where that audit is considered necessary by the Commission.

Amendment

(39) Union production and marketing of PRM needs to comply with the highest possible standards. Therefore, the import of PRM from third countries should only be allowed if an assessment of their applicable identity and quality standards and certification system establishes that such PRM fulfils requirements equivalent to those applicable to PRM produced and marketed in the Union. Such assessment should be based on a thorough examination of the information provided by the third country and its relevant legislation. It should also be based on the satisfactory outcome of an audit carried out by the Commission in the respective third country, where that audit is considered necessary by the Commission, ***however the implementation of this regulation should not preclude the importation of small quantities of PRM from third countries for conservation purposes where due to the non commercial nature of the stock the tests to establish the required equivalence in not being carried out.***

Or. en

Amendment 98
Daniel Buda

Proposal for a regulation
Recital 40

Text proposed by the Commission

(40) Rules should be set out concerning labelling and information to be provided for the imported PRM for the purposes of

Amendment

(40) ***Effective and proportionate*** rules should be set out concerning labelling and information to be provided for the

its proper identification, traceability, and informed choices by its users and for enabling official controls.

imported PRM for the purposes of its proper identification, traceability, and informed choices by its users and for enabling official controls. ***Standards for the clear and visible presentation of this information on PRM packaging should also be specified.***

Or. ro

Amendment 99

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 41

Text proposed by the Commission

(41) In order to ensure transparency and more effective controls on the production and marketing of PRM, professional operators should be registered. It is appropriate that they register in the registers established by Member States pursuant to Regulation (EU) 2016/2031 of the European Parliament and of the Council ⁽⁴²⁾, in order to reduce the administrative burden for those professional operators. This is also proportionate because the vast majority of professional operators producing and marketing PRM are already registered in the professional operators' registers of that Regulation.

⁴² Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and

Amendment

(41) In order to ensure transparency and more effective controls on the production and marketing of PRM, professional operators, ***which are not a micro-enterprise***, should be registered. It is appropriate that they register in the registers established by Member States pursuant to Regulation (EU) 2016/2031 of the European Parliament and of the Council ⁽⁴²⁾, in order to reduce the administrative burden for those professional operators. This is also proportionate because the vast majority of professional operators producing and marketing PRM are already registered in the professional operators' registers of that Regulation.

⁴² Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and

Or. en

Amendment 100
Isabel Carvalhais

Proposal for a regulation
Recital 42

Text proposed by the Commission

(42) Specific obligations should be introduced for professional operators active in the area of the production and marketing of PRM, to ensure their accountability, more effective official controls and proper application of this Regulation.

Amendment

(42) Specific obligations should be introduced for professional operators active in the area of the production ***with a view to marketing*** and marketing of PRM, to ensure their accountability, more effective official controls and proper application of this Regulation. ***However, the specific characteristics and limitations of micro-entreprises should be taken into consideration.***

Or. en

Amendment 101
Daniel Buda

Proposal for a regulation
Recital 42

Text proposed by the Commission

(42) Specific obligations should be introduced for professional operators active in the area of the production and marketing of PRM, to ensure their accountability, more effective official controls and proper application of this Regulation.

Amendment

(42) Specific, ***effective and proportionate*** obligations should be introduced for professional operators active in the area of the production and marketing of PRM, to ensure their accountability, more effective official controls and proper application of this Regulation.

Or. ro

Amendment 102

Daniel Buda

Proposal for a regulation

Recital 47

Text proposed by the Commission

(47) The registered varieties should be further notified by the competent authorities via the EU Plant Variety Portal to the Union variety register, to ensure an overview of all varieties allowed for marketing in the Union.

Amendment

(47) The registered varieties should be further notified by the competent authorities via the EU Plant Variety Portal to the Union variety register, to ensure an overview of all varieties allowed for marketing in the Union. ***This notification process should be efficient and timely in order to facilitate swift and easy access for stakeholders to the data on authorised varieties.***

Or. ro

Amendment 103

Isabel Carvalhais

Proposal for a regulation

Recital 48

Text proposed by the Commission

(48) Herbicide tolerant varieties are varieties that have been bred to be intentionally tolerant to herbicides, in order to be cultivated in combination of the use of those herbicides. If such cultivation is not done under appropriate conditions, it may lead to development of weeds resistant to those herbicides, spread of such resistance genes in the environment or to the need to increase of quantities of herbicides applied. As this Regulation aims to contribute to the sustainability of agricultural production, the competent authorities of Member States responsible for the registration of varieties should be able to subject the cultivation of those varieties in their territory to cultivation conditions appropriate for avoiding those undesirable effects. Moreover, where varieties have particular characteristics,

Amendment

(48) Herbicide tolerant varieties are varieties that have been bred to be intentionally tolerant to herbicides, in order to be cultivated in combination of the use of those herbicides. If such cultivation is not done under appropriate conditions, it may lead to development of weeds resistant to those herbicides, spread of such resistance genes in the environment or to the need to increase of quantities of herbicides applied. As this Regulation aims to contribute to the sustainability of agricultural production, the competent authorities of Member States responsible for the registration of varieties ***and the Member States where the varieties are to be cultivated***, should be able to subject the cultivation of those varieties in their territory to cultivation conditions appropriate for avoiding those undesirable

other than tolerance to herbicides, that could have undesirable agronomic effects, they should also be subject to cultivation conditions, in order to address those agronomic effects. Those conditions should apply to the cultivation of those varieties for any purpose, including food, feed and other products, and not only for purposes of production and marketing of PRM. This is necessary to achieve the objectives of this Regulation to contribute to sustainable agricultural production beyond the stage of production and marketing of PRM.

effects. Moreover, where varieties have particular characteristics, other than tolerance to herbicides, that could have undesirable agronomic effects, they should also be subject to cultivation conditions, in order to address those agronomic effects. Those conditions should apply to the cultivation of those varieties for any purpose, including food, feed and other products, and not only for purposes of production and marketing of PRM. This is necessary to achieve the objectives of this Regulation to contribute to sustainable agricultural production beyond the stage of production and marketing of PRM.

Or. en

Amendment 104

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 48

Text proposed by the Commission

(48) Herbicide tolerant varieties are varieties that have been bred to be intentionally tolerant to herbicides, in order to be cultivated in combination of the use of those herbicides. If such cultivation is not done under appropriate conditions, it may lead to development of weeds resistant to those herbicides, spread of such resistance genes in the environment or to the need to increase of quantities of herbicides applied. As this Regulation aims to contribute to the sustainability of agricultural production, the competent authorities of Member States ***responsible for the registration of*** varieties should be able to subject the cultivation of those varieties in their territory to cultivation conditions appropriate for avoiding those undesirable effects. Moreover, where varieties have particular characteristics, other than tolerance to herbicides, that

Amendment

(48) Herbicide tolerant varieties are varieties that have been bred to be intentionally tolerant to herbicides, in order to be cultivated in combination of the use of those herbicides. If such cultivation is not done under appropriate conditions, it may lead to development of weeds resistant to those herbicides, spread of such resistance genes in the environment or to the need to increase of quantities of herbicides applied. As this Regulation aims to contribute to the sustainability of agricultural production, the competent authorities of Member States ***in which such varieties would be marketed*** should be able to subject the cultivation of those varieties in their territory to cultivation conditions appropriate for avoiding those undesirable effects. Moreover, where varieties have particular characteristics, other than tolerance to herbicides, that

could have undesirable agronomic effects, they should also be subject to cultivation conditions, in order to address those agronomic effects. Those conditions should apply to the cultivation of those varieties for any purpose, including food, feed and other products, and not only for purposes of production and marketing of PRM. This is necessary to achieve the objectives of this Regulation to contribute to sustainable agricultural production beyond the stage of production and marketing of PRM.

could have undesirable agronomic effects, they should also be subject to cultivation conditions, in order to address those agronomic effects. Those conditions should apply to the cultivation of those varieties for any purpose, including food, feed and other products, and not only for purposes of production and marketing of PRM. This is necessary to achieve the objectives of this Regulation to contribute to sustainable agricultural production beyond the stage of production and marketing of PRM.

Or. en

Justification

The proposal foresees that only one Member State – the one which processes the application for variety registration – defines the cultivation conditions for the whole of the EU. This is problematic, given the differences in the farming systems across the Union. Further, it will lead to “forum-shopping”, with the developers of herbicide tolerant varieties choosing a national competent authority known to adopt the least stringent conditions.

Amendment 105

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 49

Text proposed by the Commission

(49) In order to **contribute to the sustainability of agricultural production** and serve economic, environmental and broader societal needs, new varieties of **all** genera or species should show an improvement compared to the other varieties of the same genera or species registered in the same national variety register, concerning certain aspects. Among those aspects are their yield, including yield stability and yield under low input conditions; tolerance/resistance to biotic stresses, including plant diseases caused by nematodes, fungi, bacteria, viruses, insects and other pests; tolerance/resistance to abiotic stresses,

Amendment

(49) In order to serve economic, environmental and broader societal needs, new varieties of genera or species **of agricultural crops other than vegetables to be only produced and marketed as pre-basic, basic or certified seeds or material** should show an improvement compared to the other varieties of the same genera or species registered in the same national variety register, concerning certain aspects. Among those aspects are their yield, including yield stability and yield under low input conditions; tolerance/resistance to biotic stresses, including plant diseases caused by nematodes, fungi, bacteria, viruses, insects

including adaptation to climate change conditions; more efficient use of natural resources, such as water and nutrients; reduced need for external inputs, such as plant protection products and fertilisers; characteristics that enhance the sustainability of storage, processing and distribution; and quality or nutritional characteristics ('value for **sustainable** cultivation and use'). For the purpose of deciding on the variety registration and in order to provide sufficient flexibility to register varieties with the most desirable characteristics, those aspects should be considered for a given variety as a whole.

and other pests; tolerance/resistance to abiotic stresses, including adaptation to climate change conditions; more efficient use of natural resources, such as water and nutrients; reduced need for external inputs, such as plant protection products and fertilisers; characteristics that enhance the sustainability of storage, processing and distribution; and quality or nutritional characteristics ('value for cultivation and use'). For the purpose of deciding on the variety registration and in order to provide sufficient flexibility to register varieties with the most desirable characteristics, those aspects should be considered for a given variety as a whole. ***In order to ensure that these varieties can help agricultural production to be more sustainable, their examination of the value for cultivation and use should be conducted under organic conditions, or, where competent authorities are not able to carry out an examination under organic conditions, under low-input conditions.***

Or. en

Amendment 106

Isabel Carvalhais

Proposal for a regulation

Recital 49

Text proposed by the Commission

(49) In order to contribute to the sustainability of agricultural production and serve economic, environmental and broader societal needs, new varieties of all genera or species should show an improvement compared to the other varieties of the same genera or species registered in the same national variety register, concerning certain aspects. Among those aspects are their yield, including yield stability and yield under low input conditions; tolerance/resistance

Amendment

(49) In order to contribute to the sustainability of agricultural production and serve economic, environmental and broader societal needs, new varieties of all genera or species should show an improvement compared to the other varieties of the same genera or species registered in the same national variety register, concerning certain ***agronomic, use and environmental*** aspects. Among those aspects are their yield, including yield stability and yield under low input

to biotic stresses, including plant diseases caused by nematodes, fungi, bacteria, viruses, insects and other pests; tolerance/resistance to abiotic stresses, including adaptation to climate change conditions; more efficient use of natural resources, such as water and nutrients; reduced need for external inputs, such as plant protection products and fertilisers; characteristics that enhance the sustainability of storage, processing and distribution; and quality or nutritional characteristics ('value for sustainable cultivation and use'). For the purpose of deciding on the variety registration and in order to provide sufficient flexibility to register varieties with the most desirable characteristics, those aspects should be considered for a given variety as a whole.

conditions; tolerance/resistance to biotic stresses, including plant diseases caused by nematodes, fungi, bacteria, viruses, insects and other pests; tolerance/resistance to abiotic stresses, including adaptation to climate change conditions; more efficient use of natural resources, such as water and nutrients; reduced need for external inputs, such as plant protection products and fertilisers; characteristics that enhance the sustainability of storage, processing and distribution; and quality, **technological** or nutritional characteristics ('value for sustainable cultivation and use'). For the purpose of deciding on the variety registration and in order to provide sufficient flexibility to register varieties with the most desirable characteristics, those aspects should be considered for a given variety as a whole. ***Given the significant resources and preparation needed for this examination, for some species it should be performed in a voluntary way. In the cases that the examination is a condition to access the register, that examination should be carried out only by the competent authority.***

Or. en

Amendment 107

Irène Tolleret

Proposal for a regulation

Recital 49

Text proposed by the Commission

(49) In order to contribute to the sustainability of agricultural production and serve economic, environmental and broader societal needs, new varieties of all genera or species should show an improvement compared to the other varieties of the same genera or species registered in the same national variety register, concerning certain aspects.

Amendment

(49) In order to contribute to the sustainability of agricultural production and serve economic, environmental and broader societal needs, new varieties of all genera or species should show an improvement compared to the other varieties of the same genera or species registered in the same national variety register, concerning certain aspects.

Among those aspects are their yield, including yield stability and yield under low input conditions; tolerance/resistance to biotic stresses, including plant diseases caused by nematodes, fungi, bacteria, viruses, insects and other pests; tolerance/resistance to abiotic stresses, including adaptation to climate change conditions; more efficient use of natural resources, such as water and nutrients; reduced need for external inputs, such as plant protection products and fertilisers; characteristics that enhance the sustainability of storage, processing *and* distribution; and quality or nutritional characteristics ('value for sustainable cultivation and use'). For the purpose of deciding on the variety registration and in order to provide sufficient flexibility to register varieties with the most desirable characteristics, those aspects should be considered for a given variety as a whole.

Among those aspects are their yield, including yield stability and yield under low input conditions; tolerance/resistance to biotic stresses, including plant diseases caused by nematodes, fungi, bacteria, viruses, insects and other pests; tolerance/resistance to abiotic stresses, including adaptation to climate change conditions; more efficient use of natural resources, such as water and nutrients; reduced need for external inputs, such as plant protection products and fertilisers; characteristics that enhance the sustainability of *cultivation, harvesting*, storage, processing, distribution *and use*, and quality or nutritional characteristics ('value for sustainable cultivation and use'). For the purpose of deciding on the variety registration and in order to provide sufficient flexibility to register varieties with the most desirable characteristics, those aspects should be considered for a given variety as a whole.

Or. en

Amendment 108

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 50

Text proposed by the Commission

(50) As organic varieties suitable for organic production as defined in Article 3 of Regulation (EU) 2018/848 are characterised by a high level of genetic and phenotypical diversity between individual reproductive units, it is appropriate that their registration is subject to adjusted DUS, and in particular as regards the requirements concerning uniformity. Furthermore, in order for that such varieties to be better adapted to the specific needs of organic production, their

Amendment

(50) As organic varieties suitable for organic production as defined in Article 3 of Regulation (EU) 2018/848 are characterised by a high level of genetic and phenotypical diversity between individual reproductive units, it is appropriate that their registration is subject to adjusted DUS, and in particular as regards the requirements concerning uniformity. Furthermore, in order for that such varieties to be better adapted to the specific needs of organic production, their

examination of the value for *sustainable* cultivation and use should be conducted under organic conditions.

examination of the value for cultivation and use should be conducted under organic conditions.

Or. en

Amendment 109

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 55

Text proposed by the Commission

Amendment

(55) However, there should be the possibility to carry out the technical examination for the satisfactory value for sustainable cultivation and use of a variety on the premises of the applicant and under the official supervision of the competent authority. This is necessary in order to ease the administrative burden, ensure the availability of testing facilities and reduce costs for the competent authorities. However, the competent authority should be in charge of the testing arrangements. Moreover, professional operators involved in the breeding of new varieties, and on the basis of their co-operation with the competent authorities, have proven qualified to carry out such examinations as they possess the respective expertise, knowledge and appropriate resources.

deleted

Or. en

Amendment 110

Isabel Carvalhais

Proposal for a regulation

Recital 55

Text proposed by the Commission

Amendment

(55) **However**, there should be the possibility to carry out the technical examination for the satisfactory value for sustainable cultivation and use of a variety on the premises of the applicant and under the official supervision of the competent authority. ***This is necessary in order to ease the*** administrative burden, ensure the availability of testing facilities and reduce costs for the competent authorities. However, the competent authority should be in charge of the testing arrangements. Moreover, professional operators involved in the breeding of new varieties, and on the basis of their co-operation with the competent authorities, have proven qualified to carry out such examinations as they possess the respective expertise, knowledge and appropriate resources.

(55) There should be the possibility to carry out the technical examination for the satisfactory value for sustainable cultivation and use of a variety on the premises of the applicant and under the official supervision of the competent authority ***in the voluntary system. This could ease*** administrative burden, ensure the availability of testing facilities and reduce costs for the competent authorities. However, the competent authority should be in charge of the testing arrangements. Moreover, professional operators involved in the breeding of new varieties, and on the basis of their co-operation with the competent authorities, have proven qualified to carry out such examinations as they possess the respective expertise, knowledge and appropriate resources. ***However, in the cases where the examination is a mandatory condition to access the register, that examination should be carried out only by the competent authority***

Or. en

Amendment 111
Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 56

Text proposed by the Commission

(56) In order to ensure the credibility and high quality of the examinations on distinctness, uniformity and stability, the premises of the competent authorities where they take place should be audited by the Community Plant Variety Office ('CPVO'). The premises of the applicants where the examination for the satisfactory value for ***sustainable*** cultivation and use takes place under official supervision, should be audited by the respective competent authorities, to ensure

Amendment

(56) In order to ensure the credibility and high quality of the examinations on distinctness, uniformity and stability, the premises of the competent authorities where they take place should be audited by the Community Plant Variety Office ('CPVO'). The premises of the applicants where the examination for the satisfactory value for cultivation and use takes place under official supervision, should be audited by the respective competent authorities, to ensure compliance with the

compliance with the applicable requirements.

applicable requirements.

Or. en

Amendment 112

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 57

Text proposed by the Commission

(57) The period of the registration of a variety should be 10 years, so as to encourage innovation in the breeding sector, and the removal from the market of old varieties and their replacement by new ones. However, that period should be 30 years for varieties of genera or species of fruit plants and vine, due to the longer time required for the completion of the productive cycle of those genera or species.

Amendment

(57) The period of the registration of a variety should be 10 years, so as to encourage innovation in the breeding sector, and the removal from the market of old varieties and their replacement by new ones. However, that period should be 30 years for ***conservation varieties and for*** varieties of genera or species of fruit plants and vine, due to the longer time required for the completion of the productive cycle of those genera or species.

Or. en

Amendment 113

Irène Tolleret

Proposal for a regulation

Recital 60 a (new)

Text proposed by the Commission

Amendment

(60 a) Some conventionally bred varieties are already linked to patents and, in the future, new EU legislation on new genomic techniques may trigger a proliferation of varieties with patented traits. In this context, it is convenient that this regulation provides more transparency by indicating in the national and Union registers the presence of any patent covered by varieties so that

breeders and farmers can make informed choices.

Or. en

Amendment 114

Irène Tolleret

Proposal for a regulation

Recital 64

Text proposed by the Commission

Amendment

(64) Regulation (EU) 2018/848 should be amended to align the definitions of ‘plant reproductive material’ and ‘heterogeneous material’ with the definitions provided for by this Regulation. Moreover, the empowerment for the Commission to adopt specific provisions for the marketing of PRM of organic heterogeneous material should be excluded from Regulation (EU) 2018/848, as all rules concerning the production and marketing of PRM should be set out in this Regulation for reasons of legal clarity. *deleted*

Or. en

Justification

Rules already set up in the organic regulation should only be reviewed in the framework of that regulation.

Amendment 115

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Recital 64

Text proposed by the Commission

Amendment

(64) Regulation (EU) 2018/848 should be amended to align the definitions of *deleted*

‘plant reproductive material’ and ‘heterogeneous material’ with the definitions provided for by this Regulation. Moreover, the empowerment for the Commission to adopt specific provisions for the marketing of PRM of organic heterogeneous material should be excluded from Regulation (EU) 2018/848, as all rules concerning the production and marketing of PRM should be set out in this Regulation for reasons of legal clarity.

Or. en

Amendment 116

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 64

Text proposed by the Commission

Amendment

(64) Regulation (EU) 2018/848 should be amended to align the definitions of ‘plant reproductive material’ and ‘heterogeneous material’ with the definitions provided for by this Regulation. Moreover, the empowerment for the Commission to adopt specific provisions for the marketing of PRM of organic heterogeneous material should be excluded from Regulation (EU) 2018/848, as all rules concerning the production and marketing of PRM should be set out in this Regulation for reasons of legal clarity. *deleted*

Or. en

Amendment 117

Isabel Carvalhais

Proposal for a regulation

Recital 64

Text proposed by the Commission

(64) Regulation (EU) 2018/848 should be amended to align the **definitions** of ‘plant reproductive material’ **and** ‘**heterogeneous material**’ with the **definitions** provided for by this Regulation. **Moreover, the empowerment for the Commission to adopt specific provisions for the marketing of PRM of organic heterogeneous material should be excluded from Regulation (EU) 2018/848, as all rules concerning the production and marketing of PRM should be set out in this Regulation for reasons of legal clarity.**

Amendment

(64) Regulation (EU) 2018/848 should be amended to align the **definition** of ‘plant reproductive material’ with the **definition** provided for by this Regulation.

Or. en

Amendment 118

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 70

Text proposed by the Commission

(70) In order to adapt testing and requirements for the **sustainable value** of cultivation and use requirements to the potential technical and scientific developments, and the possible development of international standards, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of supplementing this Regulation with certain elements. Those consist of the necessary methodologies for the growing trials to be carried out with a view to assessing, and adopting further requirements for, **sustainable** value of cultivation and use for certain genera or species.

Amendment

(70) In order to adapt testing and requirements for the **value** of cultivation and use requirements to the potential technical and scientific developments, and the possible development of international standards, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of supplementing this Regulation with certain elements. Those consist of the necessary methodologies for the growing trials to be carried out with a view to assessing, and adopting further requirements for, value of cultivation and use for certain genera or species.

Or. en

Amendment 119

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 72

Text proposed by the Commission

(72) In order to adapt the provisions of this Regulation concerning technical examinations of varieties to the technical and scientific developments and the practical needs of competent authorities and professional operators, and follow up on the experience gained from the application of the respective rules, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of supplementing this Regulation by setting out the rules concerning the audit of the premises of professional operators to carry out technical examinations for the satisfactory value for *sustainable* cultivation and use.

Amendment

(72) In order to adapt the provisions of this Regulation concerning technical examinations of varieties to the technical and scientific developments and the practical needs of competent authorities and professional operators, and follow up on the experience gained from the application of the respective rules, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of supplementing this Regulation by setting out the rules concerning the audit of the premises of professional operators to carry out technical examinations for the satisfactory value for cultivation and use.

Or. en

Amendment 120

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 73

Text proposed by the Commission

(73) In order to adapt the provisions of this Regulation concerning the examination for *sustainable* cultivation and use to the technical or scientific developments, and to any new Union policies or rules on sustainable agriculture, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in

Amendment

(73) In order to adapt the provisions of this Regulation concerning the examination for cultivation and use to the technical or scientific developments, and to any new Union policies or rules on sustainable agriculture, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect

respect of supplementing this Regulation by establishing the minimum requirements for carrying out this examination, establishing the methodologies for assessing the characteristics examined, establishing the standards for the evaluation and the reporting of the results of this examination and amending the characteristics examined.

of supplementing this Regulation by establishing the minimum requirements for carrying out this examination, establishing the methodologies for assessing the characteristics examined, establishing the standards for the evaluation and the reporting of the results of this examination and amending the characteristics examined.

Or. en

Amendment 121

Daniel Buda

Proposal for a regulation

Recital 81 a (new)

Text proposed by the Commission

Amendment

(81a) The Commission should identify sources of financing to make available to the Member States with a view to setting up specialised, official EU-accredited laboratories for PRM testing which will make this assessment based on specific procedures identical to all the authorities in the Member States.

Or. ro

Amendment 122

Isabel Carvalhais

Proposal for a regulation

Recital 85

Text proposed by the Commission

Amendment

(85) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission for deciding on the organisation of temporary experiments to seek improved alternatives to the scope and certain provisions of this

(85) The Commission should be empowered to adopt specific rules on the organisation of temporary experiments to seek improved alternatives to the scope and certain provisions of this Regulation.

Amendment 123

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 91

Text proposed by the Commission

(91) This Regulation should apply from 3 years after its entry into force, in order to allow the competent authorities and the professional operators to adapt to its provisions and also to provide the necessary time for the adoption of the respective delegated and implementing acts. The rules concerning the satisfactory value for **sustainable** cultivation and use of varieties of vegetables and fruit plants should however apply from 5 years after its entry into force. That additional time period is needed for the competent authorities and professional operators to make the necessary preparations and carry out the first tests in the fields complying with those new rules.

Amendment

(91) This Regulation should apply from 3 years after its entry into force, in order to allow the competent authorities and the professional operators to adapt to its provisions and also to provide the necessary time for the adoption of the respective delegated and implementing acts. The rules concerning the satisfactory value for cultivation and use of varieties of vegetables and fruit plants should however apply from 5 years after its entry into force. That additional time period is needed for the competent authorities and professional operators to make the necessary preparations and carry out the first tests in the fields complying with those new rules.

Amendment 124

Isabel Carvalhais

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

This Regulation **lays down rules for** the production **and** marketing in the Union of plant reproductive material ('PRM'), and in particular requirements for the production of PRM in the field and other

Amendment

This Regulation **applies to** the production **with a view to marketing and to** marketing in the Union of plant reproductive material ('PRM'), and in particular requirements for the production of PRM in the field and

sites, categories of material, identity and quality requirements, certification, labelling, packaging, imports, professional operators and the registration of varieties.

other sites, categories of material, identity and quality requirements, certification, labelling, packaging, imports, professional operators and the registration of varieties.

Or. en

Amendment 125
Isabel Carvalhais

Proposal for a regulation
Article 1 – paragraph 2

Text proposed by the Commission

This Regulation also lays down rules concerning the conditions of cultivation of certain varieties that could have undesirable agronomic effects, including the cultivation for purposes beyond the production and marketing of PRM, for the production of food, feed and other products.

Amendment

This Regulation also lays down rules concerning the conditions of cultivation of certain varieties ***that are tolerant to herbicides or*** that could have undesirable agronomic effects, including the cultivation for purposes beyond the production and marketing of PRM, for the production of food, feed and other products.

Or. en

Amendment 126
Irène Tolleret

Proposal for a regulation
Article 2 – paragraph 1 – subparagraph 3

Text proposed by the Commission

The requirements concerning production of PRM shall apply only to production with a view to its marketing.

Amendment

The requirements concerning production ***and imports*** of PRM shall apply only to production with a view to its marketing ***in the Union***.

Or. en

Justification

Many companies bring material from third countries into the EU for quality control, testing or processing etc., before re-exporting it. Such movement shall still be possible outside the scope of this legislation.

Amendment 127
Bert-Jan Ruissen

Proposal for a regulation
Article 2 – paragraph 1 – subparagraph 3

Text proposed by the Commission

The requirements concerning production of PRM shall apply only to production with a view to its marketing.

Amendment

The requirements concerning production of PRM shall apply only to production with a view to its marketing ***or import of PRM in final packaging within the Union.***

Or. en

Justification

Addition to the Rapporteur's amendment to make the distinction between imports directed towards marketing to the user and harvested seeds that will be processed before marketing.

Amendment 128
Anne Sander

Proposal for a regulation
Article 2 – paragraph 1 – subparagraph 3

Text proposed by the Commission

The requirements concerning production of PRM shall apply only to production with a view to its ***marketing.***

Amendment

The requirements concerning production of PRM shall apply only to production ***or import*** with a view to its ***sale on the Union market.***

Or. fr

Amendment 129
Isabel Carvalhais

Proposal for a regulation
Article 2 – paragraph 1 – subparagraph 3

Text proposed by the Commission

The requirements concerning production of PRM shall apply only to production with a

Amendment

The requirements concerning production of PRM shall apply only to production ***or***

view to its marketing.

import with a view to its marketing ***as PRM in the Union.***

Or. en

Amendment 130

Daniel Buda

Proposal for a regulation

Article 2 – paragraph 1 – subparagraph 3

Text proposed by the Commission

The requirements concerning production of PRM shall apply only to production with a view to ***its*** marketing.

Amendment

The requirements concerning production of PRM shall apply only to production with a view to marketing ***and importation onto the EU internal market.***

Or. ro

Justification

The rules laid down in this Regulation also cover imports of PRM.

Amendment 131

Isabel Carvalhais

Proposal for a regulation

Article 2 – paragraph 2 – point a

Text proposed by the Commission

(a) to ensure quality and diversity of choice for PRM, and its availability for professional operators and final users;

Amendment

(a) to ensure quality and diversity of choice for PRM, and its availability for professional operators, ***farmers*** and final users;

Or. en

Amendment 132

Daniel Buda

Proposal for a regulation

Article 2 – paragraph 2 – point a

Text proposed by the Commission

(a) to ensure quality and diversity of choice for PRM, and its availability for professional operators and final users;

Amendment

(a) to ensure quality, **safety** and diversity of choice for PRM, and its availability for professional operators and final users;

Or. ro

Amendment 133

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 2 – paragraph 2 – point b

Text proposed by the Commission

(b) to ensure **a equal** conditions for the competition of the professional operators across the Union and the functioning of the internal market in PRM;

Amendment

(b) to ensure **proportionate** conditions for the competition of the professional operators across the Union and the functioning of the internal market in PRM **that recognizes the differences in scale of operators in the market palce**;

Or. en

Amendment 134

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 2 – point b

Text proposed by the Commission

(b) to ensure **a equal** conditions for the competition of the professional operators across the Union and the functioning of the internal market in PRM;

Amendment

(b) to ensure **proportionate** conditions for the competition of the professional operators across the Union and the functioning of the internal market in PRM;

Or. en

Justification

Justification: These conditions must be adjusted by the Member States to the agricultural and cultural context of each region or country and proportionate to the volumes marketed by each operator.

Amendment 135

Isabel Carvalhais

Proposal for a regulation

Article 2 – paragraph 2 – point d

Text proposed by the Commission

(d) to contribute to conservation and sustainable use of plant genetic resources and agro-biodiversity;

Amendment

(d) to contribute to ***the dynamic*** conservation and sustainable use of plant genetic resources and agro-biodiversity;

Or. en

Amendment 136

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 2 – point e

Text proposed by the Commission

(e) to contribute to sustainable agricultural production, adapted to current and future projected ***climatic*** conditions;

Amendment

(e) to contribute to sustainable agricultural production, adapted to ***the diversity of*** current and future projected ***pedoclimatic*** conditions;

Or. en

Amendment 137

Irène Tolleret

Proposal for a regulation

Article 2 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(f a) to support innovation for the development of resilient PRM that would contribute to enhance crops that favor soil protection, such as leguminous;

Or. en

Justification

In the European Union, seed innovation for leguminous crops has been stagnating for years. It is essential to promote research on more resilient seeds to increase the production of those crops, in line with the European protein strategy.

Amendment 138

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 2 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(f a) to ensure adequate competition in the internal market so that PRM is available to farmers and other final users at a reasonable cost;

Or. en

Justification

It is important that the implementation of this regulation does not lead to concentration in the Market

Amendment 139

Bert-Jan Ruissen

Proposal for a regulation

Article 2 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission

Amendment

The delegated act referred to in the first subparagraph shall add genera or species to the list in Annex I if they fulfil at least **two** of the following elements:

The delegated act referred to in the first subparagraph shall add genera or species to the list in Annex I if they fulfil at least **one** of the following elements:

Justification

The requirements for adding a new species to the list are much too strict, at least for vegetable crops. Species that do not meet 2 of the 3 requirements can be deleted by the Commission. The best would have been to keep the current rules: each species in which professional breeding takes place in the EU, should be added. Alternative: only one requirement needs to be fulfilled.

Amendment 140**Annie Schreijer-Pierik****Proposal for a regulation****Article 2 – paragraph 3 – subparagraph 2 – introductory part***Text proposed by the Commission*

The delegated act referred to in the first subparagraph shall add genera or species to the list in Annex I if they fulfil at least **two** of the following elements:

Amendment

The delegated act referred to in the first subparagraph shall add genera or species to the list in Annex I if they fulfil at least **one** of the following elements:

Justification

The requirements for adding a new species to the list are much too strict, at least for vegetable crops.

Amendment 141**Martin Hlaváček****Proposal for a regulation****Article 2 – paragraph 3 – subparagraph 2 – introductory part***Text proposed by the Commission*

The delegated act referred to in the first subparagraph shall add genera or species to the list in Annex I if they fulfil at least **two** of the following elements:

Amendment

The delegated act referred to in the first subparagraph shall add genera or species to the list in Annex I if they fulfil at least **one** of the following elements:

Amendment 142
Elsi Katainen

Proposal for a regulation
Article 2 – paragraph 3 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) represent a **significant** area of production of PRM and a **significant** value of marketed PRM in the Union

(a) represent a **considerable** area of production of PRM and a **considerable** value of marketed PRM in the Union

Or. en

Justification

It can be difficult to meet the criteria for some fruit plants that are cultivated only in certain growing conditions.

Amendment 143
Irène Tolleret

Proposal for a regulation
Article 2 – paragraph 3 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) represent a **significant** area of production of PRM and a **significant** value of marketed PRM in the Union

(a) represent a **considerable** area of production of PRM and a **considerable** value of marketed PRM in the Union

Or. en

Justification

It can be difficult to meet the criteria (area and value) for some fruit plants that are cultivated only in certain areas/growing conditions.

Amendment 144
Annie Schreijer-Pierik

Proposal for a regulation
Article 2 – paragraph 3 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

(b) are of substantial importance for

(b) are of substantial importance for

security of food and feed production in the Union, compared to other genera and species not listed in that Annex; ***and***

security of food and feed production in the Union, compared to other genera and species not listed in that Annex; ***or***

Or. en

Amendment 145

Irène Tolleret

Proposal for a regulation

Article 2 – paragraph 3 – subparagraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(c a) present an interest in term of agronomy, sustainability or nutritional characteristics.

Or. en

Justification

Current conditions are not conducive to the integration of minor species of agronomic, environmental and/or food interest, which are in line with the objectives of the agro-ecological transition.

Amendment 146

Anne Sander

Proposal for a regulation

Article 2 – paragraph 3 – subparagraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) are of interest from an agronomic, nutritional or sustainability perspective.

Or. fr

Amendment 147

Bert-Jan Ruissen

Proposal for a regulation

Article 2 – paragraph 3 – subparagraph 3

Text proposed by the Commission

The delegated act referred to in the first subparagraph shall remove genera or species from the list in Annex I if they no longer fulfil at least **two** of the elements set out in the second subparagraph.

Amendment

The delegated act referred to in the first subparagraph shall remove genera or species from the list in Annex I if they no longer fulfil at least **one** of the elements set out in the second subparagraph.

Or. en

Justification

The requirements for adding a new species to the list are much too strict, at least for vegetable crops. Species that do not meet 2 of the 3 requirements can be deleted by the Commission. The best would have been to keep the current rules: each species in which professional breeding takes place in the EU, should be added. Alternative: only one requirement needs to be fulfilled.

Amendment 148
Martin Hlaváček

Proposal for a regulation
Article 2 – paragraph 3 – subparagraph 3

Text proposed by the Commission

The delegated act referred to in the first subparagraph shall remove genera or species from the list in Annex I if they no longer fulfil at least **two** of the elements set out in the second subparagraph.

Amendment

The delegated act referred to in the first subparagraph shall remove genera or species from the list in Annex I if they no longer fulfil at least **one** of the elements set out in the second subparagraph.

Or. en

Amendment 149
Elsi Katainen

Proposal for a regulation
Article 2 – paragraph 4 – point a

Text proposed by the Commission

(a) propagating material of ornamental plants as defined in Article 2 of Directive 98/56/EC;

Amendment

(a) propagating material of ornamental plants as defined in Article 2 of Directive 98/56/EC **and ornamental purposes of agricultural crops in the Part A of Annex**

I;

Or. en

Justification

Definition could be clarified, in order to more clearly exclude ornamental purposes of agricultural crops.

Amendment 150

Annie Schreijer-Pierik

Proposal for a regulation

Article 2 – paragraph 4 – point c

Text proposed by the Commission

(c) PRM produced for export to third countries;

Amendment

(c) PRM produced for export to third countries, ***in order to benefit both the Union and farmers in third countries;***

Or. en

Justification

The possibilities for production for export should be stimulated. The Netherlands alone exports a value of €4 billion each year, the EU as a whole even more; thence, to keep this possibility is beneficial for both the EU farmers and the farmers outside of the EU.

Amendment 151

Clara Aguilera

Proposal for a regulation

Article 2 – paragraph 4 – point c

Text proposed by the Commission

(c) PRM produced for export to third countries;

Amendment

(c) PRM produced ***solely*** for export to third countries;

Or. es

Justification

The definition only includes materials for which there is no intention to place them on the market.

Amendment 152
Herbert Dorfmann

Proposal for a regulation
Article 2 – paragraph 4 – point d

Text proposed by the Commission

(d) PRM sold or transferred in any way, whether free of charge or not, between final users for their own private use and outside their commercial activities;

Amendment

(d) PRM sold or transferred in any way, whether free of charge or not, between final users for their own private use and outside their commercial activities, ***and for theirs private use only and linked to conservation and biodiversity's goals of the PRM;***

Or. en

Amendment 153
Martin Hlaváček

Proposal for a regulation
Article 2 – paragraph 4 – point d

Text proposed by the Commission

(d) PRM sold or transferred in any way, whether free of charge or not, between final users for their own private use and outside their commercial activities;

Amendment

(d) PRM ***for which plant variety rights have not been granted*** sold or transferred in any way, whether free of charge or not, between final users for their own private use and outside their commercial activities ***and outside the scope of ensuring their production activities;***

Or. en

Amendment 154
Luke Ming Flanagan
on behalf of The Left Group

Proposal for a regulation
Article 2 – paragraph 4 – point d

Text proposed by the Commission

Amendment

(d) PRM sold or transferred in any way, whether free of charge or not, between final users ***for their own private use and outside their commercial activities***;

(d) PRM sold or transferred in any way, whether free of charge or not, between final users;

Or. en

Justification

The term final user is already defined in Article 3 (28). No additional definition needs to be given here. Specifically, it is already clear from the definition in Article 3 (28) that the PRM is for private use, as the use takes place outside their professional activities.

Amendment 155

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 4 – point d

Text proposed by the Commission

Amendment

(d) PRM sold or transferred in any way, whether free of charge or not, between final users ***for their own private use and outside their commercial activities***;

(d) PRM sold or transferred in any way, whether free of charge or not, between final users;

Or. en

Justification

The term final user is already defined in Article 3 (28) as follows: ‘final user’ means any person acquiring, transferring and using PRM for purposes which are outside that person’s professional activities. It is already clear from this definition that the PRM is for private use, as the use takes place outside their professional activities. The additional reference in Article 2 4. (d) to “commercial activities” creates legal uncertainty, as it conflicts with the permission to sell PRM, which is important, as seed savers may need to sell seeds to recoup the multiplication costs incurred.

Amendment 156

Bert-Jan Ruissen

Proposal for a regulation

Article 2 – paragraph 4 – point e

(e) ***PRM used solely for*** official testing, ***breeding, inspections, exhibitions or*** scientific purposes.

(e) ***exceptions concerning the supply of PRM to official testing and inspection bodies; exceptions concerning the supply of PRM as grown to providers of services for processing or packaging, under the condition that the provider of services does not acquire title to the plants thus supplied and the identity of the plants is ensured; exceptions concerning the supply of PRM under certain conditions to providers of services for the production of certain agricultural raw materials, intended for industrial purposes, or seed propagation for that purpose; exceptions for PRM intended for scientific purposes, selection work, other test or trial purposes; exceptions from marketing requirements concerning plants for planting not finally certified; exceptions from marketing requirements set out in the provisions of Implementing Decision (EU) 2017/478; exceptions from marketing requirements for plants for planting shown to be intended for export to third countries.***

Or. en

Justification

In line with Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Plant Health Regulation (EU) 2016/2031, (Article 6).

Amendment 157
Isabel Carvalhais

Proposal for a regulation
Article 2 – paragraph 4 – point e

(e) ***PRM used solely*** for official testing, breeding, inspections, exhibitions or scientific purposes.

(e) ***PRM sold or transferred in any way, whether free of charge or not, for official testing, breeding, inspections, exhibitions or scientific purposes. including on-farm research and activities***

carried out by gene banks;

Or. en

Amendment 158
Daniel Buda, Dan-Ştefan Motreanu

Proposal for a regulation
Article 2 – paragraph 4 – point e

Text proposed by the Commission

(e) PRM *used solely* for official testing, breeding, inspections, exhibitions or scientific purposes.

Amendment

(e) PRM *sold or transferred in any way, whether free of charge or not*, for official testing, breeding, inspections, exhibitions or scientific purposes, *including for on-farm research and testing;*

Or. ro

Amendment 159
Herbert Dorfmann

Proposal for a regulation
Article 2 – paragraph 4 – point e

Text proposed by the Commission

(e) PRM *used solely* for official testing, breeding, inspections, exhibitions or scientific purposes.

Amendment

(e) PRM *sold or transferred in any way, whether free of charge or not*, for official testing, breeding, inspections, exhibitions or scientific purposes, *including on-farming research.*

Or. en

Amendment 160
Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 4 – point e

Text proposed by the Commission

Amendment

(e) PRM ***used solely*** for official testing, breeding, inspections, exhibitions or scientific purposes.

(e) PRM ***sold or transferred in any way, whether free of charge or not,*** for official testing, breeding, inspections, exhibitions or scientific purposes, ***including on-farm research;***

Or. en

Amendment 161

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 2 – paragraph 4 – point e

Text proposed by the Commission

Amendment

(e) PRM ***used solely*** for official testing, breeding, inspections, exhibitions or scientific purposes.

(e) PRM ***sold or transferred in any way, whether free of charge or not,*** for official testing, breeding, inspections, exhibitions or scientific purposes, ***including on-farm research;***

Or. en

Justification

Seed savers may not only exchange but also sell seeds to recoup their costs. No additional conditions should be put in place to allow seed savers and gardeners to continue doing their vital efforts in the conservation and sustainable use of plant genetic resources, as recognised by the FAO's Second Report on the State of the World's Plant Genetic Resources.

Amendment 162

Irène Tolleret

Proposal for a regulation

Article 2 – paragraph 4 – point e

Text proposed by the Commission

Amendment

(e) PRM used solely for official testing, breeding, inspections, exhibitions or scientific purposes.

(e) PRM used solely for official testing, breeding, inspections, exhibitions or scientific purposes, ***including on-farm research.***

Amendment 163

Maria Noichl

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e a) PRM, transferred or sold by small seed producers (natural persons, smallholder farmers or micro enterprises).

This PRM

(i) is produced on farm for the purpose of the conservation and sustainable use of plant genetic resources and agro biodiversity, and

(ii) is no F1 hybrid, and

(iii) does not consist of a GMO or a category 1 NGT plant as defined in Article 3(7) of Regulation (EU) or of a category 2 NGT plant as defined in Article 3(8) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...), and

(iv) cannot be subject, as a whole or in genetic components, to intellectual property rights that limit their use for conservation, research, breeding, education, including on farm by a farmer who uses the PRM grown on the farm, of this variety for these objectives,

(v) has no intrinsic value for commercial production and is marketed in small packages.

Or. en

Justification

The mentioned activities need to be exempted from the scope, since users would otherwise be classified as professional operators, which will go hand in hand with high administrative burden.

Amendment 164

Clara Aguilera

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ea) material not intended for commercial exploitation of a variety, such as the provision of PRM to service providers, without the service provider acquiring ownership of the PRM, or the production of certain raw materials intended for industrial purposes without the PRM being made available to the market.

Or. es

Justification

The possibility of supplying PRMs to service providers for industrial purposes without acquisition of ownership or placing on the market has been added.

Amendment 165

Herbert Dorfmann

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e a) PRM accessed, sold or transferred in any way in small quantities as defined in Annex IX, whether free of charge or not, for the purpose of the conservation and sustainable use of plant genetic resources and agro-biodiversity.

Or. en

Amendment 166

Daniel Buda, Dan-Ştefan Motreanu

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ea) PRM accessed, sold or transferred in any way in small quantities as defined in Annex IX, whether free of charge or not, for the purpose of the conservation and sustainable use of plant genetic resources and agrobiodiversity.

Or. ro

Amendment 167

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e a) PRM accessed, sold or transferred in any way, whether free of charge or not, for the purpose of the conservation and sustainable use of plant genetic resources and agro-biodiversity;

Or. en

Justification

In light of the biodiversity and climate crises, and in order to fulfil the obligations under the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), the Second Global Plan of Action for Plant Genetic Resources, and the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) PRM transferred for the purpose of the conservation and sustainable use of plant genetic resources and agro-biodiversity needs to be exempted from this regulation.

Amendment 168

Luke Ming Flanagan

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e a) PRM accessed, sold or transferred in any way, whether free of charge or not, for the purpose of the conservation and sustainable use of plant genetic resources and agro-biodiversity;

Or. en

Justification

Seed savers may not only exchange but also sell seeds to recoup their costs. No additional conditions should be put in place to allow seed savers and gardeners to continue doing their vital efforts in the conservation and sustainable use of plant genetic resources, as recognised by the FAO's Second Report on the State of the World's Plant Genetic Resources.

Amendment 169

Irène Tolleret

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e a) PRM managed by public gene banks.

Or. en

Justification

Public gene banks are not marketing PRM, but giving access to their PGRFA conserved, according to the rules of the International Treaty on PGRFA.

Amendment 170

Luke Ming Flanagan

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e b) where it would restrict rights that are defined by the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) or the United Nations Declaration on the Rights of Peasants and Other People Living in

Rural Areas (UNDROP).

Or. en

Justification

The Commission's proposal is in conflict with the EU's obligations International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP).

Amendment 171

Maria Noichl

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e b) PRM, transferred or sold by genebanks, organisations and networks outside of commercial activities for the purpose of the conservation and sustainable use of plant genetic resources and agro biodiversity;

Or. en

Amendment 172

Herbert Dorfmann

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(e b) The transfer of samples of Plant Genetic Resources for Food and Agriculture, including for breeding, training, conservation and repatriation.

Or. en

Amendment 173

Maria Noichl

Proposal for a regulation
Article 2 – paragraph 4 – point e c (new)

Text proposed by the Commission

Amendment

(e c) where it would restrict rights that are defined by the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) or the United Nations Declaration on the Rights of Peasants and Other People Living in Rural Areas (UNDROP);

Or. en

Amendment 174
Maria Noichl

Proposal for a regulation
Article 2 – paragraph 4 – point e d (new)

Text proposed by the Commission

Amendment

(e d) Wild plant seeds, including commercially marketed seeds, which are largely used for renaturation purposes.

Or. en

Amendment 175
Norbert Lins

Proposal for a regulation
Article 2 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(4a) Preservation mixtures

Or. de

Amendment 176
Bert-Jan Ruissen

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – introductory part

Text proposed by the Commission

(2) ‘professional operator’ means any ***natural or legal*** person, involved professionally in one or more of the following activities ***in the Union*** concerning ***PRM***:

Amendment

(2) ‘professional operator’ means any person, ***governed by public or private law***, involved professionally in, ***and legally responsible for***, one or more of the following activities concerning ***plants, plant products and other objects***:

(a) planting;

(b) breeding;

(c) production, including growing, multiplying and maintaining;

(d) introduction into, and movement within and out of, the Union territory;

(e) making available on the market;

(f) storage, collection, dispatching and processing;

Or. en

Justification

In line with Regulation (EU) 2016/2031

Amendment 177

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – introductory part

Text proposed by the Commission

(2) ‘professional operator’ means any natural or legal person, involved professionally in one or more of the following activities in the Union concerning PRM:

Amendment

(2) ‘professional operator’ means any natural or legal person, involved professionally in one or more of the following activities in the Union concerning PRM, ***aimed at the commercial exploitation of the PRM by the professional operator;***

Or. en

Justification

The amendment limits the scope of the regulation to operators who conduct the listed activities with the intention to commercially exploit/offer the PRM itself.

Amendment 178

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – introductory part

Text proposed by the Commission

(2) ‘professional operator’ means any natural or legal person, involved professionally in one or more of the following activities in the Union concerning PRM:

Amendment

(2) ‘professional operator’ means any natural or legal person, involved professionally in one or more of the following activities in the Union concerning PRM, ***aimed at the commercial exploitation of the PRM by the professional operator outside of a services contract.***

Or. en

Justification

The proposed regulation significantly extends the scope of the existing legislation. The proposal would consider as professional operators farmers who produce seeds for their own use to produce food/feed, famers who multiply seeds as part of a service contract; garden centres who sell seed packets, operators providing services such as storage, labelling, etc... This would represent a huge additional cost to operators and to public authorities without this extension being necessary to ensure the quality of PRM. Plant health obligations would continue to apply anyway.

Amendment 179

Annie Schreijer-Pierik

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – introductory part

Text proposed by the Commission

(2) ‘professional operator’ means any ***natural or legal*** person, involved professionally in one or more of the following activities ***in the Union***

Amendment

(2) ‘professional operator’ means any person, ***governed by public or private law***, involved professionally in, ***and legally responsible for***, one or more of the

concerning **PRM**:

following activities concerning **plants, plant products and other objects**:

Or. en

Justification

To be consistent and in line with Regulation (EU) 2016/2031.

Amendment 180

Maria Noichl

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – introductory part

Text proposed by the Commission

(2) ‘professional operator’ means any **natural or** legal person, involved professionally in one or more of the following activities in the Union concerning PRM:

Amendment

(2) ‘professional operator’ means any legal person, involved professionally in one or more of the following activities in the Union concerning PRM **aimed at professional agricultural production**:

Or. en

Amendment 181

Daniel Buda, Dan-Ştefan Motreanu

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – introductory part

Text proposed by the Commission

(2) ‘professional operator’ means any natural or legal person, involved professionally in one or more of the following activities in the Union concerning PRM:

Amendment

(2) ‘professional operator’ means any natural or legal person, involved professionally in one or more of the following activities in the Union concerning **the commercial exploitation of** PRM:

Or. ro

Justification

Farmers who produce seeds for their own use only, along with gene banks, should not be considered 'professional operators' so to avoid their being subject to the new obligations

under Articles 41-43. The monitoring by the competent authorities of every farmer who produces seeds for their own use, and of gene banks, would generate a significant additional cost for operators, and also for the public administration, when there is no proper justification of this being needed to address the risks regarding the quality and identification of PRM.

Amendment 182
Bert-Jan Ruissen

Proposal for a regulation
Article 3 – paragraph 1 – point 2 – point a

Text proposed by the Commission

Amendment

(a) production;

(a) production, ***including growing, multiplying and maintaining;***

Or. en

Justification

In line with Regulation (EU) 2016/2031

Amendment 183
Isabel Carvalhais

Proposal for a regulation
Article 3 – paragraph 1 – point 2 – point a

Text proposed by the Commission

Amendment

(a) production;

(a) production ***with a view to marketing;***

Or. en

Amendment 184
Annie Schreijer-Pierik

Proposal for a regulation
Article 3 – paragraph 1 – point 2 – point a

Text proposed by the Commission

Amendment

(a) *production*;

(a) *planting*;

Or. en

Amendment 185

Bert-Jan Ruissen

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point a a (new)

Text proposed by the Commission

Amendment

(a a) *planting*;

Or. en

Amendment 186

Bert-Jan Ruissen

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point a b (new)

Text proposed by the Commission

Amendment

(a b) *breeding*;

Or. en

Amendment 187

Bert-Jan Ruissen

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point b

Text proposed by the Commission

Amendment

(b) *marketing*;

(b) *making available on the market*;

Or. en

Amendment 188

Annie Schreijer-Pierik

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point b

Text proposed by the Commission

Amendment

(b) *marketing*;

(b) *breeding*;

Or. en

Amendment 189

Bert-Jan Ruissen

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point b a (new)

Text proposed by the Commission

Amendment

*(b a) introduction into, and movement
within and out of, the Union territory;*

Or. en

Amendment 190

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point c

Text proposed by the Commission

Amendment

(c) *maintenance of varieties*;

deleted

Or. en

Amendment 191

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point c

Text proposed by the Commission

Amendment

(c) *maintenance of varieties;* *deleted*

Or. en

Justification

The proposed regulation significantly extends the scope of the existing legislation. For example, the proposal would capture as professional operators; seed saver organisations and public gene banks, who multiply seeds for the purpose of their conservation; farmers who produce seeds only for their own use to produce food/feed, as opposed to PRM; famers who multiply seeds as part of a service contract; small farm shops and local garden centers who sell seed packets.

Amendment 192

Annie Schreijer-Pierik

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point c

Text proposed by the Commission

Amendment

(c) *maintenance of varieties;*

(c) *production, including growing, multiplying and maintaining;*

Or. en

Amendment 193

Isabel Carvalhais

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point c

Text proposed by the Commission

Amendment

(c) maintenance of varieties;

(c) maintenance *or multiplication* of varieties;

Or. en

Amendment 194

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point d

Text proposed by the Commission

Amendment

(d) provision of services for identity and quality; **deleted**

Or. en

Amendment 195

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point d

Text proposed by the Commission

Amendment

(d) provision of services for identity and quality; **deleted**

Or. en

Justification

This would represent a huge additional cost to operators but also to public authorities without any adequate justification that this extension is necessary to address risks that relate to the quality or identify of PRM. Plant health obligations stemming from Regulation 2016/2031 would continue to apply.

Amendment 196

Annie Schreijer-Pierik

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point d

Text proposed by the Commission

Amendment

(d) provision of services for identity and quality; **(d) introduction into, and movement within and out of, the Union territory;**

Or. en

Amendment 197

Annie Schreijer-Pierik

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point e

Text proposed by the Commission

Amendment

(e) ***preservation, storage, drying, processing, treating, packaging, sealing, labelling, sampling or testing;***

(e) ***making available on the market;***

Or. en

Amendment 198

Bert-Jan Ruissen

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point e

Text proposed by the Commission

Amendment

(e) ***preservation, storage, drying, processing, treating, packaging, sealing, labelling, sampling or testing;***

(e) storage, ***collection, dispatching and*** processing;

Or. en

Amendment 199

Isabel Carvalhais

Proposal for a regulation

Article 3 – paragraph 1 – point 2 – point e a (new)

Text proposed by the Commission

Amendment

(e a) Farmers carrying out activities pursuant to Article 30 shall not be considered professional operators;

Or. en

Justification

Being considered as “professional operator” is rather burdensome and appears disproportionate for farmers exchanging PRM with other farmers, given the small quantities in question. (This amendment should appear as the last sentence of the definition.)

Amendment 200
Annie Schreijer-Pierik

Proposal for a regulation
Article 3 – paragraph 1 – point 2 – point e a (new)

Text proposed by the Commission

Amendment

**(e a) storage, collection, dispatching
and processing;**

Or. en

Amendment 201
Martin Hlaváček

Proposal for a regulation
Article 3 – paragraph 1 – point 2 – point e a (new)

Text proposed by the Commission

Amendment

(e a) import;

Or. en

Amendment 202
Martin Hlaváček

Proposal for a regulation
Article 3 – paragraph 1 – point 2 – point e b (new)

Text proposed by the Commission

Amendment

(e b) breeding of varieties;

Or. en

Amendment 203
Isabel Carvalhais

Proposal for a regulation
Article 3 – paragraph 1 – point 3

Text proposed by the Commission

Amendment

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, transfer ***for free***, or offering for sale or any other way of transferring or distribution within, or ***import*** into, the Union

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding ***with a view to sale***, transfer, or offering for sale or any other way of transferring or distribution ***aimed at the commercial exploitation of PRM to third parties*** within, or ***imported*** into, the Union

Or. en

Amendment 204

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

Amendment

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, ***transfer for free***, or offering for sale or any other way of transferring or distribution within, or import into, the Union

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, or offering for sale or any other way of transferring or distribution ***of PRM*** within, or import into, the Union, ***aimed at the commercial exploitation of the PRM;***

Or. en

Justification

The current seed marketing legislation limits the scope of the regulation to where there is the intention to commercially exploit the PRM. This should continue to be the case in the new regulation. Seed exchange (including transfer for free and in kind) among farmers and civil society conservation networks/community seed banks must remain out of the scope. Further, the sale of seeds as food or feed or the production of seeds under a commercial contract should not be viewed as seed marketing and subject to legislation.

Amendment 205

Herbert Dorfmann

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, ***transfer for free***, or offering for sale or any other way of transferring or distribution within, or import into, the Union

Amendment

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, or offering for sale or any other way of transferring or distribution within, or import into, the Union ***aimed at the commercial exploitation of the PRM;***

Or. en

Amendment 206

Clara Aguilera

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, transfer for free, or offering for sale or any other way of transferring or distribution within, or import into, the Union

Amendment

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, transfer for free, or offering for sale, ***including online sale***, or any other way of transferring or distribution within, or import into, the Union

Or. es

Amendment 207

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, ***transfer for free***, or offering for sale or any other way of transferring or distribution within, or import into, the Union

Amendment

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, or offering for sale or any other way of transferring or distribution ***of PRM*** within, or import into, the Union ***aimed at the commercial***

Justification

The current seed marketing legislation limits the scope of the regulation to where there is the intention to commercially exploit the PRM. This should continue to be the case in the new regulation.

Amendment 208

Martin Hlaváček

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, transfer for free, or offering for sale or any other way of transferring or distribution within, or import into, the Union

Amendment

(3) ‘marketing’ means the following actions conducted by a professional operator **for commercial use**: sale, holding, transfer for free, or offering for sale or any other way of transferring or distribution within, or import into, the Union,

Amendment 209

Daniel Buda

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘marketing’ means the following actions conducted by a professional operator: sale, holding, transfer for free, or offering for sale or any other way of transferring or distribution within, or import into, the Union

Amendment

(3) ‘marketing’ means the following **commercial** actions conducted by a professional operator: sale, holding, transfer for free, or offering for sale or any other way of transferring or distribution within, or import into, the Union

Amendment 210
Annie Schreijer-Pierik

Proposal for a regulation
Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) 'marketing' means the ***following actions conducted by a professional operator: sale, holding, transfer for free, or offering for sale or any other way of transferring or distribution within, or import into, the Union***

Amendment

(3) 'marketing' means the sale, holding ***with a view to sale, offer for sale and any disposal, supply or transfer aimed at commercial exploitation of seed to third parties, whether or not for consideration;***

Or. en

Justification

Definition should be in line with current Marketing directives.

Amendment 211
Bert-Jan Ruissen

Proposal for a regulation
Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) 'marketing' means the ***following actions conducted by a professional operator: sale, holding, transfer for free, or offering for sale or any other way of transferring or distribution within, or import into, the Union***

Amendment

(3) 'marketing' means the sale, holding ***with a view to sale, offer for sale and any disposal, supply or transfer aimed at commercial exploitation of seed to third parties, whether or not for consideration.***

Or. en

Justification

Propose to use the definition of marketing used in current marketing directives. Change leads to severe problems in processing and movement of harvested seeds (which would be seen as marketing while not yet being conform all requirements whereas seeds marketed commercial exploitation will conform requirements). The Rapporteur amendment is already an improvement including 'commercial', however the marketing directives definition is even better suited.

Amendment 212
Isabel Carvalhais

Proposal for a regulation
Article 3 – paragraph 1 – point 4

Text proposed by the Commission

(4) ‘variety’ means a variety as defined in Article 5(2) of Regulation (EC) No 2100/94;

Amendment

(4) ‘variety’ means a variety as defined in Article 5(2) of Regulation (EC) No 2100/94, ***other than a ‘conservation/diversity variety’ or an ‘organic variety suitable for organic production’*** ;

Or. en

Amendment 213
Clara Aguilera

Proposal for a regulation
Article 3 – paragraph 1 – point 5

Text proposed by the Commission

(5) ‘clone’ means an individual plant progeny, originally derived from another single plant by vegetative reproduction, remaining genetically identical to that plant;

Amendment

deleted

Or. es

Amendment 214
Clara Aguilera

Proposal for a regulation
Article 3 – paragraph 1 – point 6

Text proposed by the Commission

(6) ‘selected clone’ means a clone that has been selected and chosen for some special intravarietal phenotypic traits and its phytosanitary status that give the selected clone a better performance, is true to the description of the variety to which it

Amendment

(6) ‘selected clone’ means a clone that has been selected and chosen for some special intravarietal phenotypic traits and its phytosanitary status that give the selected clone a better performance, is true to the description of the variety to which it

belongs and, in the case of selected clones not belonging to a variety, it is true to the description of the species to which it belongs;

belongs and, in the case of selected clones not belonging to a variety, it is true to the description of the species to which it belongs; ***applicable to vines and those species of fruit trees in which such intravarietal variability has occurred;***

Or. es

Justification

The amendment clarifies the species covered by the definition.

Amendment 215

Isabel Carvalhais

Proposal for a regulation

Article 3 – paragraph 1 – point 6

Text proposed by the Commission

(6) ‘selected clone’ means a clone that has been selected and chosen for some special intravarietal phenotypic traits and its phytosanitary status that give the selected clone a better performance, is true to the description of the variety to which it belongs ***and, in the case of selected clones not belonging to a variety, it is true to the description of the species to which it belongs;***

Amendment

(6) ‘selected clone’ means a clone that has been selected and chosen for some special intravarietal phenotypic traits and its phytosanitary status that give the selected clone a better performance, is true to the description of the variety to which it belongs;

Or. en

Amendment 216

Isabel Carvalhais

Proposal for a regulation

Article 3 – paragraph 1 – point 7

Text proposed by the Commission

(7) ‘polyclonal plant reproductive material’ means a group of ***several distinct individual plant progenies derived from different*** genotypes, ***each of which is true***

Amendment

(7) ‘polyclonal plant reproductive material’ means ***propagating material obtained from a selection with the prediction of genetic gains, made through***

to the description of the variety to which it belongs;

quantitative genetic tools, of a group of at least 7 genotypes from the same experimental set of a specific ancient variety, containing most of its intra-varietal diversity;

Or. en

Amendment 217

Clara Aguilera

Proposal for a regulation

Article 3 – paragraph 1 – point 8

Text proposed by the Commission

Amendment

(8) ‘multiclonal mixture’ means a mixture of selected clones, all belonging to the same variety or species, as appropriate, whereby each of them has been obtained through independent selection;

deleted

Or. es

Justification

This definition is not needed

Amendment 218

Isabel Carvalhais

Proposal for a regulation

Article 3 – paragraph 1 – point 8

Text proposed by the Commission

Amendment

(8) ‘multiclonal mixture’ means a mixture of selected clones, all belonging to the same variety or species, as appropriate, whereby each of them has been obtained through independent selection;

deleted

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Justification

As per definition, multiclonal mixtures are mixtures of selected clones obtained by independent selection, without any additional added value for the farmer, that can easily combine different selected clones by himself. The elimination of “mixtures of clones” should be reflected throughout the whole text.

Amendment 219**Clara Aguilera****Proposal for a regulation****Article 3 – paragraph 1 – point 11***Text proposed by the Commission*

(11) ‘officially recognised description’ means a **written** description **of** a conservation variety, which has been recognised by a competent authority, **includes the specific characteristics** of the variety, **and has been obtained by other means than the examination of its distinctness, uniformity and stability;**

Amendment

(11) ‘officially recognised description’ means a description **used to describe** a conservation variety, **drawn up by a public or private body with the necessary capacity and expertise to do so and** which has been recognised by a competent authority **as a sufficiently comprehensive description to ensure the identification and distinguishability** of the conservation variety. **To this end, it must include a minimum number of relevant varietal characteristics allowing it to be identified and distinguished from the other varieties;**

Or. es

Justification

Only varietal descriptions drawn up by public or private bodies with sufficient capacity and expertise may be officially recognised. In addition, that description should include a minimum of varietal characteristics so that it can be used to identify the conservation variety and distinguish it from other well-known varieties.

Amendment 220**Bert-Jan Ruissen****Proposal for a regulation****Article 3 – paragraph 1 – point 11**

Text proposed by the Commission

Amendment

(11) ‘officially recognised description’ means a written description of a **conservation** variety, which has been recognised by a competent authority, includes the specific characteristics of the variety, and has been obtained by other means than the examination of its distinctness, uniformity and stability;

(11) ‘officially recognised description’ means a written description of a variety, which has been recognised by a competent authority, includes the specific characteristics of the variety, and has been obtained by other means than the examination of its distinctness, uniformity and stability;

Or. en

Justification

Not only for conservation varieties, also may be applicable to fruit varieties.

Amendment 221

Annie Schreijer-Pierik

Proposal for a regulation

Article 3 – paragraph 1 – point 11

Text proposed by the Commission

Amendment

(11) ‘officially recognised description’ means a written description of a **conservation** variety, which has been recognised by a competent authority, includes the specific characteristics of the variety, and has been obtained by other means than the examination of its distinctness, uniformity and stability;

(11) ‘officially recognised description’ means a written description of a variety, which has been recognised by a competent authority, includes the specific characteristics of the variety, and has been obtained by other means than the examination of its distinctness, uniformity and stability;

Or. en

Justification

Not only for conservation varieties, may also be applicable for fruit varieties.

Amendment 222

Martin Hlaváček

Proposal for a regulation

Article 3 – paragraph 1 – point 17

Text proposed by the Commission

(17) ‘standard seed’ means seed, other than pre-basic, basic or certified seed, that ***is not intended for further multiplication, and*** satisfies the respective conditions laid down in Part A of Annex III;

Amendment

(17) ‘standard seed’ means seed, other than pre-basic, basic or certified seed, that ***has been produced from pre-basic, basic, certified or standard seed, that that*** satisfies the respective conditions laid down in Part A of Annex III;

Or. en

Amendment 223
Isabel Carvalhais

Proposal for a regulation
Article 3 – paragraph 1 – point 18

Text proposed by the Commission

(18) ‘pre-basic material’ means PRM, other than seeds, that belongs to a generation preceeding the generation of basic material, is intended for the production and certification of basic or certified material, and has been found by means of official certification or certification under official supervision to satisfy the respective conditions laid down in Part B of Annex II;

Amendment

(18) ‘pre-basic material’ means PRM, other than seeds, that belongs to a generation preceeding the generation of basic material, is intended for the production and certification of basic or certified material, and has been found by means of official certification or certification under official supervision to satisfy the respective conditions laid down in Part B; ***part C and Part E*** of Annex II;

Or. en

Amendment 224
Isabel Carvalhais

Proposal for a regulation
Article 3 – paragraph 1 – point 19

Text proposed by the Commission

(19) ‘basic material’ means PRM, other than seed, that has been produced from pre-basic material or preceding generations of basic material, is intended for the production and certification of further generations of basic material or certified

Amendment

(19) ‘basic material’ means PRM, other than seed, that has been produced from pre-basic material or preceding generations of basic material, is intended for the production and certification of further generations of basic material or certified

material, and has been found by means of official certification or certification under official supervision to satisfy the respective conditions laid down in Part B of Annex II;

material, and has been found by means of official certification or certification under official supervision to satisfy the respective conditions laid down in Part B, **part C and Part E** of Annex II;

Or. en

Amendment 225
Clara Aguilera

Proposal for a regulation
Article 3 – paragraph 1 – point 19 a (new)

Text proposed by the Commission

Amendment

(19a) ‘mother plant’ means an identified plant intended for propagation

Or. es

Justification

Definition necessary for the production of plant reproductive material from fruit trees and vines.

Amendment 226
Clara Aguilera

Proposal for a regulation
Article 3 – paragraph 1 – point 19 b (new)

Text proposed by the Commission

Amendment

(19b) ‘pre-basic mother plant’ means a mother plant intended for the production of pre-basic material or of lower categories;

Or. es

Justification

Definition necessary for the production and certification of plant reproductive material from fruit trees and vines.

Amendment 227

Clara Aguilera

Proposal for a regulation

Article 3 – paragraph 1 – point 19 c (new)

Text proposed by the Commission

Amendment

(19c) ‘pre-basic mother plant’ means a mother plant intended for the production of pre-basic material or of lower categories

Or. es

Justification

Definition necessary for the production of plant reproductive material from fruit trees and vines.

Amendment 228

Clara Aguilera

Proposal for a regulation

Article 3 – paragraph 1 – point 19 d (new)

Text proposed by the Commission

Amendment

(19d.) ‘certified mother plant’ means a mother plant intended for the production of certified or lower-category material;

Or. es

Justification

Definition necessary for the production of plant reproductive material from fruit trees and vines.

Amendment 229

Clara Aguilera

Proposal for a regulation

Article 3 – paragraph 1 – point 19 e (new)

(19e.) ‘standard mother plant’ means a mother plant intended for the production of standard material;

Or. es

Justification

Definition necessary for the production of plant reproductive material from fruit trees and vines.

Amendment 230

Isabel Carvalhais

Proposal for a regulation

Article 3 – paragraph 1 – point 20

Text proposed by the Commission

(20) ‘certified material’ means PRM, other than seed, that has been produced from pre-basic, basic or preceding generations of certified material, and has been found by means of official certification or certification under official supervision to satisfy the respective conditions laid down in Part B of Annex II;

Amendment

(20) ‘certified material’ means PRM, other than seed, that has been produced from pre-basic, basic or preceding generations of certified material, and has been found by means of official certification or certification under official supervision to satisfy the respective conditions laid down in Part B, **Part C and Part E** of Annex II;

Or. en

Amendment 231

Isabel Carvalhais

Proposal for a regulation

Article 3 – paragraph 1 – point 20

Text proposed by the Commission

(20) ‘certified material’ means PRM, other than seed, that has been produced from pre-basic, basic or preceding generations of certified material, and has been found by means of official certification or certification under official

Amendment

(20) ‘certified material’ means PRM, other than seed, that has been produced from pre-basic, basic or preceding generations of certified material, and has been found by means of official certification or certification under official

supervision to satisfy the respective conditions laid down in Part B of Annex II;

supervision to satisfy the respective conditions laid down in Part B, **Part C and Parte E** of Annex II;

Or. en

Amendment 232
Isabel Carvalhais

Proposal for a regulation
Article 3 – paragraph 1 – point 21

Text proposed by the Commission

(21) ‘standard material’ means PRM other than seed, and other than pre-basic, basic or certified material, that is not intended for further multiplication, and satisfies the respective conditions laid down in Part B of Annex III;

Amendment

(21) ‘standard material’ means PRM other than seed, and other than pre-basic, basic or certified material, that is not intended for further multiplication, and satisfies the respective conditions laid down in Part B, **Part C and Part E** of Annex III;

Or. en

Amendment 233
Martin Hlaváček

Proposal for a regulation
Article 3 – paragraph 1 – point 21

Text proposed by the Commission

(21) ‘standard material’ means PRM other than seed, and other than pre-basic, basic or certified material, that ***is not intended for further multiplication, and*** satisfies the respective conditions laid down in Part B of Annex III;

Amendment

(21) ‘standard material’ means PRM other than seed, and other than pre-basic, basic or certified material, that ***has been produced from pre-basic, basic, certified or standard material, that*** satisfies the respective conditions laid down in Part B of Annex III;

Or. en

Amendment 234

Elsi Katainen

Proposal for a regulation

Article 3 – paragraph 1 – point 21

Text proposed by the Commission

(21) ‘standard material’ means PRM other than seed, and other than pre-basic, basic or certified material, ***that is not intended for further multiplication***, and satisfies the respective conditions laid down in Part B of Annex III;

Amendment

(21) ‘standard material’ means PRM other than seed, and other than pre-basic, basic or certified material and satisfies the respective conditions laid down in Part B of Annex III;

Or. en

Justification

Currently, most of the fruit plant cultivars are produced only in the CAC category.

Amendment 235

Clara Aguilera

Proposal for a regulation

Article 3 – paragraph 1 – point 24 a (new)

Text proposed by the Commission

Amendment

(24a) ‘multiplication’ means the vegetative production of mother plants to obtain a sufficient number of mother plants of the same category;

Or. es

Justification

Definition necessary to allow an increase in the number of mother plants of fruit trees and vines belonging to the same category.

Amendment 236

Clara Aguilera

Proposal for a regulation

Article 3 – paragraph 1 – point 24 b (new)

Text proposed by the Commission

Amendment

(24b) ‘renewal of a mother plant’ means replacement of a mother plant by another plant obtained vegetatively from that plant;

Or. es

Justification

Definition necessary to regularise the renewal of mother plants. A common practice of producers of fruit tree and vine propagating material.

**Amendment 237
Martin Hlaváček**

**Proposal for a regulation
Article 3 – paragraph 1 – point 27 – introductory part**

Text proposed by the Commission

Amendment

(27) ‘heterogeneous material’ means a plant grouping within a single botanical taxon of the lowest known rank which:

(27) ‘*organic* heterogeneous material’ means *organic heterogeneous material as defined in Article 3(18) of Regulation (EU) 2018/848, produced in accordance with Regulation (EU) 2018/848; intended only for further use in organic production;*

Or. en

**Amendment 238
Martin Häusling
on behalf of the Verts/ALE Group**

**Proposal for a regulation
Article 3 – paragraph 1 – point 27 – point d a (new)**

Text proposed by the Commission

Amendment

(d a) does not consist of a GMO or a category 1 NGT plant as defined in Article 3(7) of Regulation (EU) or of a category 2 NGT plant as defined in Article 3(8) of Regulation (EU) .../... (Office of Publications, please insert reference to

Justification

The heterogeneous material regime contributes to generating seeds of genetic diversity, with a high capacity to adapt agricultural systems to the global emergencies we face. They are materials that should encourage further innovation and development by farmers. GMO and NGT plants are thus incompatible with the concept of heterogonous material, which is produced in a dynamic process in fields, and not in a laboratory.

Amendment 239

Luke Ming Flanagan

Proposal for a regulation

Article 3 – paragraph 1 – point 27 – point d a (new)

Text proposed by the Commission

Amendment

(d a) does not consist of a GMO or a category 1 NGT plant as defined in Article 3(7) of Regulation (EU) or of a category 2 NGT plant as defined in Article 3(8) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...).

Justification

The heterogeneous material regime contributes to generating seeds of genetic diversity, with a high capacity to adapt agricultural systems to the global emergencies we face. They are materials that should encourage further innovation and development by farmers. GMO and NGT plants are thus incompatible with the concept of heterogonous material.

Amendment 240

Clara Aguilera

Proposal for a regulation

Article 3 – paragraph 1 – point 28

Text proposed by the Commission

Amendment

(28) ‘**final** user’ means any person acquiring, **transferring and** using PRM for

(28) ‘**non-professional** user’ means any person acquiring **or** using PRM for

purposes which are outside that person's professional activities;

personal use and purposes *other than commercial purposes or* which are outside that person's *principal* professional activities;

Or. es

Justification

Farmers are not included among end users.

Amendment 241

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 3 – paragraph 1 – point 28

Text proposed by the Commission

(28) ‘final user’ means any person acquiring, transferring and using PRM for purposes which are outside that person's professional activities;

Amendment

(28) ‘final user’ means any person acquiring, transferring and using PRM for purposes which are outside that person's *principle* professional activities;

Or. en

Justification

It is important to clarify that whoever acts outside of their principle professional activities is a final user. The vast majority of individual seed savers does not make their living by selling seeds. They are happy if they can recuperate at least parts of their costs - they do this important work for society as they care for it. No additional conditions should be put in place to allow seed savers and gardeners to continue doing their vital efforts in the conservation and sustainable use of plant genetic resources.

Amendment 242

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 28

Text proposed by the Commission

(28) ‘final user’ means any person acquiring, transferring and using PRM for

Amendment

(28) ‘final user’ means any person acquiring, transferring and using PRM for

purposes which are outside that person's professional activities;

purposes which are outside that person's **main** professional activities;

Or. en

Justification

The vast majority of individual seed savers does not make their living by selling seeds, they are happy if they can recuperate at least parts of their costs. No additional conditions should be put in place to allow seed savers and gardeners to continue doing their vital efforts in the conservation and sustainable use of plant genetic resources. Clarifying that ones' main professional activities is the deciding factor is necessary to ensure legal certainty for the vast majority of individual seed savers and gardeners.

Amendment 243
Bert-Jan Ruissen

Proposal for a regulation
Article 3 – paragraph 1 – point 28

Text proposed by the Commission

(28) ‘final user’ means any person acquiring, **transferring** and using PRM for purposes which are outside that person's professional activities;

Amendment

(28) ‘final user’ means any person acquiring and using PRM for purposes which are outside that person's professional activities;

Or. en

Justification

The amendment agrees with part of the Rapporteurs' amendment, namely to delete 'transferring'. However, the word 'main' should not be added; there are many distinctions connected to whether a user is classified as a “Final User” or a “Farmer”, the real distinction then is professional activities. Adding the word 'main' would diminish clarity which would give room for abuse.

Amendment 244
Annie Schreijer-Pierik

Proposal for a regulation
Article 3 – paragraph 1 – point 28

Text proposed by the Commission

(28) ‘final user’ means any person acquiring, **transferring** and using PRM for

Amendment

(28) ‘final user’ means any person acquiring and using PRM for purposes

purposes which are outside that person's professional activities;

which are outside that person's professional activities;

Or. en

Amendment 245
Isabel Carvalhais

Proposal for a regulation
Article 3 – paragraph 1 – point 29 – introductory part

Text proposed by the Commission

Amendment

(29) ‘**conservation** variety’ means a variety that is:

(29) ‘**diversity** variety’ means a variety that is:

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Justification

Given the proposed definition, it would be more appropriate to change the denomination from "conservation variety" to "diversity variety". This modification should be reflected throughout the whole text.

Amendment 246
Daniel Buda, Dan-Ștefan Motreanu

Proposal for a regulation
Article 3 – paragraph 1 – point 29 – point a

Text proposed by the Commission

Amendment

(a) traditionally grown or locally newly bred under specific local conditions in the Union, and adapted to those conditions; and

(a) traditionally grown or locally newly bred under specific local conditions in the Union, and adapted to those conditions **or for use in a niche production environment or system**; and

Or. ro

Amendment 247

Irène Tolleret

Proposal for a regulation

Article 3 – paragraph 1 – point 29 – point a

Text proposed by the Commission

Amendment

(a) traditionally grown or locally newly bred under specific local conditions in the Union, and adapted to those conditions; and

(a) traditionally grown or locally newly bred **or developed** under specific local conditions in the Union, and adapted to those conditions; and

Or. en

Amendment 248

Clara Aguilera

Proposal for a regulation

Article 3 – paragraph 1 – point 29 – point a

Text proposed by the Commission

Amendment

(a) traditionally grown or **locally newly bred under specific local conditions in the Union, and adapted to those** conditions; and

(a) traditionally grown or **adapted to certain** local **and particular** conditions and;

Or. es

Justification

La inclusión entre las variedades de conservación de aquellas “obtenidas recientemente a escala local en condiciones locales específicas” plantea el riesgo de socavar el actual sistema de registro de variedades, ya que, teniendo en cuenta que la mayoría de empresas de mejora vegetal obtienen sus nuevas variedades a escala local y en condiciones específicas, ello supondría una vía entrada al registro, como variedad de conservación, de aquellas variedades que no satisfacen los requisitos. Además, la definición propuesta contradice el propio término “conservación” (referente al mantenimiento de material ya existente y cultivado tradicionalmente), al permitir el reconocimiento de variedades “obtenidas recientemente”.

Amendment 249

Maria Noichl

Proposal for a regulation

Article 3 – paragraph 1 – point 29 – point a

Text proposed by the Commission

Amendment

(a) traditionally grown or ***locally*** newly
bred under specific local conditions in the
Union, and adapted to those conditions;
and

(a) traditionally grown or newly
emerged or bred with low market
significance ; and

Or. en

Amendment 250

Daniel Buda, Dan-Ştefan Motreanu

Proposal for a regulation

Article 3 – paragraph 1 – point 29 – point a a (new)

Text proposed by the Commission

Amendment

(aa) not an ‘F1 hybrid variety’;

Or. ro

Amendment 251

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 29 – point a a (new)

Text proposed by the Commission

Amendment

(a a) is not an F1 hybrid;

Or. en

Amendment 252

Maria Noichl

Proposal for a regulation

Article 3 – paragraph 1 – point 29 – point b

Text proposed by the Commission

Amendment

(b) ***characterised by a high level of***
genetic and ***phenotypical diversity between***

(b) ***in case of generative***
multiplication , due to their genetic

individual reproductive units;

variation, can adapt to local circumstances during the growing season, as well as, when sown in the same region where the seed was produced, and

Or. en

Amendment 253

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 29 – point b

Text proposed by the Commission

(b) characterised by a **high** level of genetic and phenotypical diversity between individual reproductive units;

Amendment

(b) **in the case of seeds**, characterised by a **certain** level of genetic and phenotypical diversity between individual reproductive units;

Or. en

Justification

The threshold of 'high level of genetic and phenotypical diversity' cannot be met by existing conservation varieties in most plant species, especially in fruit and vine propagating material where PRM is the vegetative genetically uniform progeny of a single plant.

Amendment 254

Isabel Carvalhais

Proposal for a regulation

Article 3 – paragraph 1 – point 29 – point b

Text proposed by the Commission

(b) characterised by **a high level of** genetic and phenotypical diversity between individual reproductive units;

Amendment

(b) characterised by genetic and phenotypical diversity between individual reproductive units;

Or. en

Amendment 255

Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 1 – point 29 – point b a (new)

Text proposed by the Commission

Amendment

(b a) is not a GMO or a category 1 NGT plant as defined in Article 3(7) of Regulation (EU) or of a category 2 NGT plant as defined in Article 3(8) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...);

Or. en

Justification

A conservation variety is “locally bred under specific local conditions (...) and adapted to those condition”. Local adaptation is not obtained in laboratories which are necessary for breeding any GMOs or other NGT plants, but only by selection under the local cultivation conditions for which this material is intended.

Amendment 256
Maria Noichl

Proposal for a regulation
Article 3 – paragraph 1 – point 29 – point b a (new)

Text proposed by the Commission

Amendment

(b a) not complying with the levels of homogeneity and stability necessary for DUS variety registration; and

Or. en

Amendment 257
Maria Noichl

Proposal for a regulation
Article 3 – paragraph 1 – point 29 – point b b (new)

Text proposed by the Commission

Amendment

(b b) not consisting of a GMO or a category 1 NGT plant as defined in Article 3(7) of Regulation (EU) or of a category 2 NGT plant as defined in Article 3(8) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...); and

Or. en

Amendment 258
Maria Noichl

Proposal for a regulation
Article 3 – paragraph 1 – point 29 – point b c (new)

Text proposed by the Commission

Amendment

(b c) not subject, as a whole or in genetic components, to intellectual property rights that limit their use for conservation, research, breeding, education, including on farm by a farmer who uses the PRM grown on the farm, of this variety for these objectives;

Or. en

Amendment 259
Elsi Katainen

Proposal for a regulation
Article 3 – paragraph 1 – point 30 – point c

Text proposed by the Commission

Amendment

(c) their presence has an **unacceptable** adverse impact on the quality of the PRM, and an **unacceptable** economic impact as regards the use of that PRM in the Union;

(c) their presence has an **adverse** adverse impact on the quality of the PRM, and an **adverse** economic impact as regards the use of that PRM in the Union;

Or. en

Justification

There should be a clear difference with RNQP and quality pest.

Amendment 260
Martin Hlaváček

Proposal for a regulation
Article 3 – paragraph 1 – point 31

Text proposed by the Commission

(31) ‘practically free from pests’ means ***completely free from*** pests, ***or a situation where the presence of quality pests on the respective PRM is so low that those pests do not affect adversely the quality of that*** PRM;

Amendment

(31) ‘practically free from pests’ means ***that the extent to which pests are present on the PRM is sufficiently low to ensure acceptable*** quality ***and usefulness of the*** PRM;

Or. en

Amendment 261
Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 1 – point 31

Text proposed by the Commission

(31) ‘practically free from pests’ means ***completely*** free from pests, or a situation where the presence of quality pests on the respective PRM is so low that those pests do not affect adversely the quality of that PRM;

Amendment

(31) ‘practically free from ***quality*** pests’ means free from ***quality*** pests, or a situation where the presence of quality pests on the respective PRM is so low that those pests do not affect adversely the quality of that PRM;

Or. en

Justification

At all other points, the proposal refers to the requirement “practically free from quality pests”. The amendment corrects the omitted “quality” from this definition.

It also removes the reference to “completely”, which is not consistent with the rest of the sentence, which makes clear that quality pests can be tolerated at a low level where they do not affect adversely the quality of that PRM.

The strict rules on quarantine pests and regulated non-quarantine pests will continue to apply under Regulation 2016/2031.

Amendment 262
Isabel Carvalhais

Proposal for a regulation
Article 3 – paragraph 1 – point 31

Text proposed by the Commission

(31) ‘practically free from pests’ means ***completely*** free from pests, or a situation where the presence of quality pests on the respective PRM is so low that those pests do not affect ***adversely*** the quality of that PRM;

Amendment

(31) ‘practically free from pests’ means free from ***quality*** pests, or a situation where the presence of quality pests on the respective PRM is so low that those pests do not affect ***excessively*** the quality of that PRM;

Or. en

Amendment 263
Irène Tolleret

Proposal for a regulation
Article 3 – paragraph 1 – point 31

Text proposed by the Commission

(31) ‘practically free from pests’ means ***completely free from pests, or*** a situation where the presence of quality pests on the respective PRM is so low that those pests do not affect adversely the quality of that PRM;

Amendment

(31) ‘practically free from pests’ means a situation where the presence of quality pests on the respective PRM is so low that those pests do not affect adversely the quality of that PRM;

Or. en

Justification

The EC text is confusing.

Amendment 264
Elsi Katainen

Proposal for a regulation
Article 3 – paragraph 1 – point 31

Text proposed by the Commission

(31) ‘practically free from pests’ means ***completely free from pests, or*** a situation where the presence of quality pests on the respective PRM is so low that those pests do not affect adversely the quality of that PRM;

Amendment

(31) ‘practically free from ***quality*** pests’ means a situation where the presence of quality pests on the respective PRM is so low that those pests do not affect adversely the quality of that PRM;

Or. en

Amendment 265
Martin Hlaváček

Proposal for a regulation
Article 3 – paragraph 1 – point 34

Text proposed by the Commission

(34) ‘off-type’ means, in relation with seed or other plants, a seed or other PRM not corresponding to the description of the variety or species to which it is supposed to belong pursuant to this Regulation

Amendment

(34) ‘off-type’ means, in relation with seed or other plants, a seed or other PRM ***of the crop species*** not corresponding to the description of the variety or species to which it is supposed to belong pursuant to this Regulation

Or. en

Amendment 266
Daniel Buda, Dan-Ştefan Motreanu

Proposal for a regulation
Article 3 – paragraph 1 – point 35

Text proposed by the Commission

(35) ‘hybrid variety’ means a variety produced as a result from the crossbreeding of two or more other varieties.

Amendment

(35) ‘hybrid variety’ means a variety produced as a result from the crossbreeding of two or more other varieties; ***'F1 hybrid variety' means a hybrid variety which does not reproduce true to type in subsequent generations.***

Or. ro

Justification

There is a need to distinguish between hybrid varieties that are the result of crossbreeding and those that do not reproduce true to type in subsequent generations, known as F1 hybrids. F1 hybrids like this should not be registered as conservation varieties, but rather be marketed on the basis of a separate official description.

Amendment 267

Martin Hlaváček

Proposal for a regulation

Article 3 – paragraph 1 – point 35

Text proposed by the Commission

(35) ‘hybrid variety’ means a variety produced as a result from the crossbreeding of two or more ***other*** varieties.

Amendment

(35) ‘hybrid variety’ means a variety produced as a result from the crossbreeding of two or more ***components, namely inbred lines, single cross hybrids, double cross hybrids, top cross hybrids or individual*** varieties.

Or. en

Amendment 268

Luke Ming Flanagan

Proposal for a regulation

Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) ‘conservation and sustainable use of plant genetic resources and agro-biodiversity’ means the preservation of the genetic diversity within and between cultivated plant species, and includes both the in situ dynamic conservation, whether on farm or in garden, the ex situ conservation outside of their natural habitat, and the 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 its potential to meet the needs and aspirations of

present and future generations.

Or. en

Justification

Existing international agreements like the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and the Convention on Biological Diversity (CBD) foresee obligations for the conservation and sustainable utilisation of genetic diversity. Therefore, this definition, which draws on the definitions of the ITPGRFA and the CBD while underlining the dynamic nature of conservation in fields and gardens, should be included.

Amendment 269
Herbert Dorfmann

Proposal for a regulation
Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) ‘conservation and sustainable use of plant genetic resources and agro-biodiversity’ means the preservation of the genetic diversity within and between cultivated plant species, and includes both the in situ conservation, whether on farm or in garden, the ex situ conservation outside of their natural habitat, and the 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 its potential to meet the needs and aspirations of present and future generations.

Or. en

Amendment 270
Isabel Carvalhais

Proposal for a regulation
Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) dynamic conservation, enrichment and sustainable use of plant genetic diversity’ means the preservation of the genetic diversity within and between cultivated plant species, and includes both the in situ conservation, whether on farm or in garden, the ex situ conservation outside of their natural habitat, and the 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 its potential to meet the needs and aspirations of present and future generations.

Or. en

Amendment 271
Daniel Buda, Dan-Ştefan Motreanu

Proposal for a regulation
Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35a) ‘conservation and sustainable use of plant genetic resources and agrobiodiversity’ means the conservation of the genetic diversity of inter- and intra-specific cultivated plants, including both in situ, on-farm or garden conservation and ex situ conservation outside their natural habitat, and the sustainable use of plant genetic resources and agrobiodiversity.

Or. ro

Amendment 272
Irène Tolleret

Proposal for a regulation
Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) ‘NGT plant’ means plants obtained by certain new genomic techniques as defined in Article 3, point 2 of Regulation (EU) [Office of Publications, please insert reference to Regulation on plants obtained by certain new genomic techniques and their food and feed] of the European Parliament and of the Council;

Or. en

Justification

It is necessary to introduce a definition on NGT, as done in the FRM proposal.

Amendment 273

Marlene Mortler, Norbert Lins, Peter Jahr

Proposal for a regulation

Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) Breeding means all activities, practices and transfers involved in developing new plant varieties and their selection prior to application for registration.

Or. en

Justification

It must be ensured that breeders can continue to make their variety selections based on user information prior to application.

Amendment 274

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) *An ‘F1 hybrid variety’ means a hybrid variety that does not reproduce true to type in further generations.*

Or. en

Justification

There is a need to further define and distinguish between hybrid varieties that are results of crosses, and those that do not reproduce true to type in further generations – and so the seeds generally cannot be used again by the gardener or farmer in the next season. These F1 hybrids should not be registered as conservation varieties, but rather be marketed on the basis of an official description.

Amendment 275

Maria Noichl

Proposal for a regulation

Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) *‘F1 Hybrid variety’ means a hybrid variety that does not reproduce true to type in further generations;*

Or. en

Amendment 276

Bert-Jan Ruissen

Proposal for a regulation

Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) *‘commercial seed’ means seed of regulated species for which no varieties are registered;*

Or. en

Justification

This category is currently used in mixtures. This amendment is connected to amendments on article

6 and article 21.

Amendment 277

Annie Schreijer-Pierik

Proposal for a regulation

Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) 'commercial seed' means seed of regulated species for which no varieties are registered.

Or. en

Amendment 278

Isabel Carvalhais

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:

(i) 30 kg for cereals

(ii) 10 kg for fodder plants, beet, oil and fibre plants;

(iii) 5 kg for legumes;

(iv) 500 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;

(v) 100 g for all other species of vegetables.

(vi) in the case of fruit and vine cuttings, 100 individuals with at least five useable eyes.

Or. en

Amendment 279

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 35 b (new)

Text proposed by the Commission

Amendment

(35 b) ‘conservation and sustainable use of plant genetic resources and agro-biodiversity’ means the preservation of the genetic diversity within and between cultivated plant species, and includes both the in situ dynamic conservation, whether on farm or in garden, the ex situ conservation outside of their natural habitat, and the 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 its potential to meet the needs and aspirations of present and future generations.

Or. en

Justification

Existing international agreements like the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and the Convention on Biological Diversity (CBD) foresee obligations for the conservation and sustainable utilisation of genetic diversity. Therefore, this definition, which draws on the definitions of the ITPGRFA and the CBD while underlining the dynamic nature of conservation in fields and gardens, should be included.

Amendment 280

Bert-Jan Ruissen

Proposal for a regulation

Article 3 – paragraph 1 – point 35 b (new)

Text proposed by the Commission

Amendment

(35 b) 'final packaging' means PRM in packages, bundles or containers in accordance to Article 14 intended be planted by a farmer or final user;

Or. en

Justification

This amendment is connected to the amendment on Article 2 paragraph 1 subparagraph 3.

Amendment 281

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 35 c (new)

Text proposed by the Commission

Amendment

(35 c) a 'micro-enterprise' is an entity as defined in the Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (notified under document number C(2003) 1422).

Or. en

Justification

To ensure proportionality, micro-enterprises should be excluded from the obligations for professional operators under Articles 41 and 42. This amendment references the existing definition of a micro-enterprise.

Amendment 282

Bert-Jan Ruissen

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

Only PRM belonging to a variety

Only PRM belonging to a variety

registered in a national variety register referred to in Article 44 may be ***produced and*** marketed within the Union, except the following cases:

registered in a national variety register referred to in Article 44 may be marketed within the Union, except the following cases:

Or. en

Justification

Registration should only be mandatory for marketing, not for production.

Amendment 283

Bert-Jan Ruissen

Proposal for a regulation

Article 5 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) as rootstocks, if produced and marketed with a reference, contained in an appropriate labelling, to the species to which they belong; ***deleted***

Or. en

Justification

Since vegetable rootstock varieties are independent varieties, which are DUS, and already included in 2002/55/EC, they should not be excluded.

Amendment 284

Martin Hlaváček

Proposal for a regulation

Article 5 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) as heterogeneous material in accordance with Article 27. (b) as ***organic*** heterogeneous material in accordance with Article 27.

Or. en

Amendment 285

Isabel Carvalhais

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

Amendment 286

Norbert Lins

Proposal for a regulation

Article 5 – paragraph 1 – point h a (new)

Text proposed by the Commission

Amendment

h a) as wild plant seed, including commercially marketed seed, which is largely used for renaturalisation purposes.

Or. de

Amendment 287

Bert-Jan Ruissen

Proposal for a regulation

Article 6 – paragraph 1 – subparagraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) commercial seed;

Or. en

Amendment 288

Annie Schreijer-Pierik

Proposal for a regulation

Article 6 – paragraph 1 – subparagraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) commercial seed.

Or. en

Amendment 289
Martin Hlaváček

Proposal for a regulation
Article 6 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) marketing of PRM of heterogeneous material in accordance with Article 27;

(a) marketing of PRM of **organic** heterogeneous material in accordance with Article 27;

Or. en

Amendment 290
Isabel Carvalhais

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 **PRM** exchanged between farmers in accordance with Article 30;

Or. en

Amendment 291
Norbert Lins

Proposal for a regulation
Article 6 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

e a) wild plant seed, including commercially marketed seed, which is largely used for renaturalisation

purposes.

Or. de

Amendment 292
Elsi Katainen

Proposal for a regulation
Article 7 – paragraph 1 – point b – introductory part

Text proposed by the Commission

Amendment

(b) it is ***produced and*** marketed:

(b) it is marketed:

Or. en

Justification

Seeds are produced before certification and marketing takes place after certification.

Amendment 293
Irène Tolleret

Proposal for a regulation
Article 7 – paragraph 1 – point b – introductory part

Text proposed by the Commission

Amendment

(b) it is ***produced and*** marketed:

(b) it is marketed:

Or. en

Justification

Seeds are produced before certification and marketing takes place after certification.

Amendment 294
Isabel Carvalhais

Proposal for a regulation
Article 7 – paragraph 1 – point b – point ii

Text proposed by the Commission

Amendment

(ii) in accordance with the

(ii) in accordance with the

requirements set out in Part A of Annex II, and its compliance with those requirements is attested by the official label referred to in Article 15(1).

requirements set out in Part A **and Part D** of Annex II, and its compliance with those requirements is attested by the official label referred to in Article 15(1).

Or. en

Justification

This amendment, and similar ones, intent to correct the missing references to Annexes.

Amendment 295

Isabel Carvalhais

Proposal for a regulation

Article 7 – paragraph 2 – point b – point ii

Text proposed by the Commission

(ii) in accordance with the requirements set out in Part B of Annex II, and its compliance with those requirements is attested by the official label referred to in Article 15(1).

Amendment

(ii) in accordance with the requirements set out in Part B, **Part C and Part E** of Annex II, and its compliance with those requirements is attested by the official label referred to in Article 15(1).

Or. en

Amendment 296

Isabel Carvalhais

Proposal for a regulation

Article 7 – paragraph 3 – introductory part

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 75, in order to amend Annex II. Those amendments shall adapt to the developments of international technical and scientific standards and **may** concern the requirements for the following:

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 75, in order to amend Annex II. Those amendments shall adapt to the developments of international technical and scientific standards and **shall** concern the requirements for the following:

Or. en

Amendment 297
Martin Hlaváček

Proposal for a regulation
Article 7 – paragraph 3 – point a

Text proposed by the Commission

(a) *sowing and planting, and production in the field*, of pre-basic, basic and certified seed;

Amendment

(a) *previous cropping and isolation distances*, of pre-basic, basic and certified seed;

Or. en

Amendment 298
Martin Hlaváček

Proposal for a regulation
Article 7 – paragraph 3 – point b

Text proposed by the Commission

(b) *harvesting and post-harvesting of pre-basic, basic and certified seed*;

Amendment

deleted

Or. en

Amendment 299
Isabel Carvalhais

Proposal for a regulation
Article 7 – paragraph 3 – point g

Text proposed by the Commission

(g) pre-basic, basic and certified material of *clones*, selected clones, *multiclonal mixtures and polyclonal* PRM;

Amendment

(g) *production and marketing of* pre-basic, basic and certified material of selected clones PRM;

Or. en

Amendment 300
Martin Hlaváček

Proposal for a regulation

Article 7 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

The Commission may adopt implementing acts specifying the production and marketing requirements referred to in Part A **and Part B** of Annex II for certain genera, species or categories of PRM, and, where appropriate, for certain grades, classes, generations or other sub-divisions of the category concerned. Those requirements shall concern one or more of the following elements

Amendment

The Commission may adopt implementing acts specifying the production and marketing requirements referred to in Part A **to E** of Annex II for certain genera, species or categories of PRM, and, where appropriate, for certain grades, classes, generations or other sub-divisions of the category concerned. Those requirements shall concern one or more of the following elements

Or. en

Amendment 301

Isabel Carvalhais

Proposal for a regulation

Article 7 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

The Commission may adopt implementing acts specifying the production and marketing requirements referred to in **Part A and Part B of** Annex II for certain genera, species or categories of PRM, and, where appropriate, for certain grades, classes, generations or other sub-divisions of the category concerned. Those requirements shall concern one or more of the following elements

Amendment

The Commission may adopt implementing acts specifying the production and marketing requirements referred to in Annex II for certain genera, species or categories of PRM, and, where appropriate, for certain grades, classes, generations or other sub-divisions of the category concerned. Those requirements shall concern one or more of the following elements

Or. en

Amendment 302

Martin Hlaváček

Proposal for a regulation

Article 7 – paragraph 4 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) *conditions for sowing or planting;*

(c) *previous cropping and isolation distances*

Or. en

Amendment 303

Martin Hlaváček

Proposal for a regulation

Article 7 – paragraph 4 – subparagraph 1 – point d

Text proposed by the Commission

Amendment

(d) *field cultivation;*

deleted

Or. en

Amendment 304

Martin Hlaváček

Proposal for a regulation

Article 7 – paragraph 4 – subparagraph 1 – point e

Text proposed by the Commission

Amendment

(e) *harvesting and post-harvesting;*

deleted

Or. en

Amendment 305

Anne Sander

Proposal for a regulation

Article 7 – paragraph 4 – subparagraph 1 – point f

Text proposed by the Commission

Amendment

(f) germination rates, purity and content of other PRM, *moisture, vigour*, presence of earth or extraneous matter;

(f) germination rates, purity and content of other PRM, presence of earth or extraneous matter;

Or. fr

Amendment 306

Irène Tolleret

Proposal for a regulation

Article 7 – paragraph 4 – subparagraph 1 – point f

Text proposed by the Commission

(f) germination rates, purity and content of other PRM, ***moisture, vigour***, presence of earth or extraneous matter;

Amendment

(f) germination rates, purity and content of other PRM, presence of earth or extraneous matter;

Or. en

Justification

There are no standardized protocols for measuring vigor, and the addition of a humidity standard also represents an additional burden.

Amendment 307

Martin Hlaváček

Proposal for a regulation

Article 7 – paragraph 4 – subparagraph 1 – point g

Text proposed by the Commission

(g) certification methods of PRM, including the application of bio-molecular or other technical methods, as well as their approval and use, and the listing of approved methods in the Union;

Amendment

(g) ***internationally recognised certification methods of PRM***, certification methods of PRM, including the application of bio-molecular or other technical methods, as well as their approval and use, and the listing of approved methods in the Union;

Or. en

Amendment 308

Isabel Carvalhais

Proposal for a regulation

Article 7 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

Those implementing acts shall be adopted in accordance with the examination procedure set out in Article 76(2), ***in order to adapt to*** the developments of the ***relevant*** international technical and scientific standards.

Those implementing acts shall be adopted in accordance with the examination procedure set out in Article 76(2), ***taking into consideration*** the developments of the ***relevant*** international technical and scientific standards ***and the possible impacts on seed production availability and on small operators. It shall be proportionate to the categorie of PRM .***

Or. en

Amendment 309
Isabel Carvalhais

Proposal for a regulation
Article 8 – paragraph 1 – point b – point ii

Text proposed by the Commission

(ii) in accordance with the requirements set out in Part A of Annex III, and its compliance with those requirements is attested by the operator's label referred to in Article 16.

Amendment

(ii) in accordance with the requirements set out in Part A ***and Part D*** of Annex III, and its compliance with those requirements is attested by the operator's label referred to in Article 16.

Or. en

Amendment 310
Isabel Carvalhais

Proposal for a regulation
Article 8 – paragraph 2 – point b – point ii

Text proposed by the Commission

(ii) in accordance with the requirements set out in Part B of Annex III, and its compliance with those requirements is attested by the operator's label referred to in Article 16.

Amendment

(ii) in accordance with the requirements set out in Part B, ***Part C and Part E*** of Annex III, and its compliance with those requirements is attested by the operator's label referred to in Article 16.

Or. en

Amendment 311

Daniel Buda

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. *Once a year, professional operators shall submit to the competent authority a declaration concerning the quantities per species of standard seed and material they produced.* *deleted*

Or. ro

Justification

It is vital that these production rules be proportionate so that they can realistically also be met by small (local) seed producers.

Amendment 312

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. *Once a year, professional operators shall submit to the competent authority a declaration concerning the quantities per species of standard seed and material they produced.* *deleted*

Or. en

Justification

Currently there are no requirements in EU legislation to notify competent authorities of the quantities of standard seeds or material produced. This should be left up to the Member States.

Amendment 313

Irène Tolleret, Elsi Katainen

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. Once a year, professional operators shall submit to the competent authority a declaration concerning the quantities per species of standard seed and material they produced.

deleted

Or. en

Justification

This is a new requirement and does not bring necessary added value for the competent authority or for the quality of the PRM

Amendment 314
Martin Hlaváček

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. Once a year, professional operators shall submit to the competent authority a declaration concerning the quantities per species of standard seed and material they produced.

deleted

Or. en

Amendment 315
Martin Hlaváček

Proposal for a regulation
Article 8 – paragraph 4 – point a

Text proposed by the Commission

Amendment

(a) requirements for sowing and planting, and production in the field, of standard seeds;

(a) requirements for *previous cropping and isolation distances*, of standard seeds;

Amendment 316
Martin Hlaváček

Proposal for a regulation
Article 8 – paragraph 4 – point b

Text proposed by the Commission

Amendment

(b) requirements for harvesting and post-harvesting of standard seeds; **deleted**

Amendment 317
Daniel Buda, Dan-Ștefan Motreanu

Proposal for a regulation
Article 8 – paragraph 4 – point e

Text proposed by the Commission

Amendment

(e) requirements for harvesting and post-harvesting of standard material; **deleted**

Justification

It is vital that these production rules be proportionate so that they can realistically also be met by small (local) seed producers.

Amendment 318
Isabel Carvalhais

Proposal for a regulation
Article 8 – paragraph 4 – point g

Text proposed by the Commission

Amendment

(g) requirements for clones, selected clones, multiclonal mixtures and polyclonal PRM of standard material;

(g) requirements for production and marketing polyclonal PRM of standard material;

Amendment 319
Martin Häusling

Proposal for a regulation
Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Before adopting or supplementing the delegated act mentioned in paragraph 4 concerning points (a) to (i), the Commission shall assess the implementation of the requirements, considering the outcome of their application by competent authorities and small-scale professional operators and their impact on seed production and availability.

Or. en

Amendment 320
Luke Ming Flanagan
on behalf of The Left Group

Proposal for a regulation
Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Before adopting or supplementing a delegated act under paragraph 4, the Commission shall assess the implementation of the requirements, considering the outcome of their application by competent authorities and small-scale professional operators and their impact on seed production and availability.

Or. en

Justification

It is vital that these production rules are limited to what is appropriate proportionate, as otherwise the cost of regulation will simply be too high. Operators also need to have clarity over these provisions to given them legal certainty for their business.

Amendment 321

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 8 – paragraph 5

Text proposed by the Commission

Amendment

5. *The Commission may adopt implementing acts specifying the production and marketing requirements referred to in Part A and Part B of Annex III for certain genera or species of standard seed or material. Those requirements shall concern one or more of the following elements:*

(a) specific uses of the genera, species or the types of the PRM concerned;

***(b) production methods of PRM,
including sexual and asexual
reproduction and in vitro propagation;***

(c) conditions for sowing or planting;

(d) field cultivation;

(e) harvesting and post-harvesting;

(f) germination rates, purity and content of other PRM, moisture, vigour, presence of earth or extraneous matter;

(g) the application of bio-molecular or other technical methods, as well as their approval and use, and the listing of approved methods in the Union;

(h) the conditions for rootstocks and other parts of plants of genera or species other than those listed in Annex I, or their hybrids, if propagating material of the genus or species listed in Annex I or their hybrids is grafted onto them;

(i) conditions for the production of seeds from fruit plants or vine;

(j) conditions for the production of fruit plants, vine or seed potatoes from seeds.

Those implementing acts shall be adopted in accordance with the examination procedure set out in Article 76(2), in order to adapt to the developments of the relevant international technical and scientific standards.

Or. en

Justification

Operators need to have clarity over these provisions to give them legal certainty for their business. From this perspective, it is problematic that many of the key provisions have been left to secondary legislation. Owing to the general content of Annex III, there is no need to give the Commission both delegated and implementing powers with regards to production requirements related to standard PRM. Any changes to a delegated act under this article, should be subject to an impact assessment process.

Amendment 322

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 8 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission may adopt implementing acts specifying the production and marketing requirements referred to in Part A and Part B of Annex III for certain genera or species of standard seed or material. Those requirements shall concern one or more of the following elements:

deleted

(a) specific uses of the genera, species or the types of the PRM concerned;

(b) production methods of PRM, including sexual and asexual reproduction and in vitro propagation;

(c) conditions for sowing or planting;

- (d) field cultivation;*
- (e) harvesting and post-harvesting;*
- (f) germination rates, purity and content of other PRM, moisture, vigour, presence of earth or extraneous matter;*
- (g) the application of bio-molecular or other technical methods, as well as their approval and use, and the listing of approved methods in the Union;*
- (h) the conditions for rootstocks and other parts of plants of genera or species other than those listed in Annex I, or their hybrids, if propagating material of the genus or species listed in Annex I or their hybrids is grafted onto them;*
- (i) conditions for the production of seeds from fruit plants or vine;*
- (j) conditions for the production of fruit plants, vine or seed potatoes from seeds.*

Or. en

Justification

There is no need to give the Commission both delegated and implementing powers with regards to production requirements related to standard PRM. Any changes to a delegated act under this article, should be subject to an impact assessment process.

Amendment 323
Martin Hlaváček

Proposal for a regulation **Article 8 – paragraph 5 – subparagraph 1 – introductory part**

Text proposed by the Commission

The Commission may adopt implementing acts specifying the production and marketing requirements referred to in Part A **and Part B** of Annex III for certain genera or species of standard seed or material. Those requirements shall concern one or more of the following elements:

Amendment

The Commission may adopt implementing acts specifying the production and marketing requirements referred to in Part A **to E** of Annex III for certain genera or species of standard seed or material. Those requirements shall concern one or more of the following elements:

Or. en

Amendment 324
Isabel Carvalhais

Proposal for a regulation

Article 8 – paragraph 5 – subparagraph 1 – introductory part

Text proposed by the Commission

The Commission may adopt implementing acts specifying the production and marketing requirements referred to in **Part A and Part B of** Annex III for certain genera or species of standard seed or material. Those requirements shall concern one or more of the following elements:

Amendment

The Commission may adopt implementing acts specifying the production and marketing requirements referred to in Annex III for certain genera or species of standard seed or material. Those requirements shall concern one or more of the following elements:

Or. en

Amendment 325
Martin Hlaváček

Proposal for a regulation

Article 8 – paragraph 5 – subparagraph 1 – point c

Text proposed by the Commission

(c) **conditions for sowing or planting;**

Amendment

(c) **previous cropping and isolation distances;**

Or. en

Amendment 326
Martin Hlaváček

Proposal for a regulation

Article 8 – paragraph 5 – subparagraph 1 – point d

Text proposed by the Commission

(d) **field cultivation;**

Amendment

deleted

Or. en

Amendment 327
Martin Hlaváček

Proposal for a regulation
Article 8 – paragraph 5 – subparagraph 1 – point e

Text proposed by the Commission

Amendment

(e) *harvesting and post-harvesting;* *deleted*

Or. en

Amendment 328
Martin Hlaváček

Proposal for a regulation
Article 8 – paragraph 5 – subparagraph 1 – point g

Text proposed by the Commission

Amendment

(g) the application of bio-molecular or other technical methods, as well as their approval and use, and the listing of approved methods in the Union;

(g) the application of ***internationally recognised*** bio-molecular or other technical methods, as well as their approval and use, and the listing of approved methods in the Union;

Or. en

Amendment 329
Isabel Carvalhais

Proposal for a regulation
Article 8 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Amendment

Those implementing acts shall be adopted in accordance with the examination procedure set out in Article 76(2), ***in order to adapt to*** the developments of the ***relevant*** international technical and scientific standards.

Those implementing acts shall be adopted in accordance with the examination procedure set out in Article 76(2), ***taking into the consideration*** the developments of the ***relevant*** international technical and scientific standards ***and the possible impacts on seed production availability and on small operators. It shall be proportionate to the categorie of PRM.***

Amendment 330
Isabel Carvalhais

Proposal for a regulation
Article 9 – title

Text proposed by the Commission

Amendment

Production, marketing **and registration of clones**, selected clones, **multiclonal mixtures** and polyclonal PRM

Requirements for the production **and** marketing **of** selected clones and polyclonal PRM

Or. en

Justification

This article refers to Part C of Annex II and part C of Annex III, for selected clones and polyclonal material. Clones are part of Annex E. The requirements for registration should be introduced in the text and not in the Annexes.

Amendment 331
Isabel Carvalhais

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

Amendment

1. **In addition to the requirements referred to in Articles 4 to 43**, pre-basic, basic, certified and standard material of **clones, selected clones, multiclonal mixtures and** polyclonal **PRM** shall be produced and marketed in accordance with paragraphs 2 and 3 and the requirements set out respectively in Annex II, Part C, and Annex III, Part C.

1. Pre-basic, basic, certified **material of selected clones PRM** and standard material of polyclonal **material** shall be produced and marketed in accordance with paragraphs 2 and 3 and the requirements set out respectively in Annex II, Part C, and Annex III, Part C.

Or. en

Amendment 332
Clara Aguilera

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. In addition to the requirements referred to in Articles 4 to 43, pre-basic, basic, certified and standard material of **clones**, selected clones, **multiclonal mixtures** and polyclonal PRM shall be produced and marketed in accordance with paragraphs 2 and 3 and the requirements set out respectively in Annex II, Part C, and Annex III, Part C.

Amendment

1. In addition to the requirements referred to in Articles 4 to 43, pre-basic, basic, certified and standard material of selected clones and polyclonal PRM shall be produced and marketed in accordance with paragraphs 2 and 3 and the requirements set out respectively in Annex II, Part C, and Annex III, Part C.

Or. es

Justification

These definitions do not apply.

Amendment 333

Clara Aguilera

Proposal for a regulation

Article 9 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Clones, selected clones, **multiclonal mixtures** and polyclonal PRM may **only be produced and marketed if they are** registered by a competent authority in at least one official register for clones established by a Member State.

Amendment

Clones, selected clones and polyclonal PRM may **be** registered by a competent authority in at least one official register for clones established by a Member State.

Or. es

Justification

These definitions do not apply.

Amendment 334

Isabel Carvalhais

Proposal for a regulation

Article 9 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

Clones, selected clones, **multiclonal mixtures** and polyclonal PRM may only be produced and marketed if they are registered by a competent authority in at least one official register for clones established by a Member State.

Selected clones and polyclonal PRM may only be produced and marketed if they are registered by a competent authority in at least one official register for **selected clones and polyclonal material** established by a Member State.

Or. en

Amendment 335

Isabel Carvalhais

Proposal for a regulation

Article 9 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

That register shall include all elements referred to in the application for the registration of a **clone**, selected clone, **multiclonal mixture** and polyclonal PRM, as set out in **Annex II, Part B, Part C point 2**.

That register shall include all elements referred to in the application for the registration of a selected clone and polyclonal PRM, as set out in **Article 53a**.

Or. en

Justification

The requirements for registration will be transferred from Annex II part C to a new Article 53a.

Amendment 336

Clara Aguilera

Proposal for a regulation

Article 9 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

That register shall include all elements referred to in the application for the registration of a clone, selected clone, **multiclonal mixture** and polyclonal PRM, as set out in Annex II, Part B, Part C point

That register shall include all elements referred to in the application for the registration of a clone, selected clone and polyclonal PRM, as set out in Annex II,

Justification

These definitions do not apply.

Amendment 337
Isabel Carvalhais

Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission

3. **Clones**, selected clones, **multiclonal mixtures** and polyclonal PRM shall be maintained for the purpose of preserving their identity. The persons responsible for maintenance of **the clones**, selected clones, **multiclonal mixtures** and polyclonal PRM shall take all measures to be able to make them verifiable by the competent authorities or any other person, on the basis of kept records.

Amendment

3. Selected clones and polyclonal PRM shall be maintained for the purpose of preserving their identity. The persons responsible for maintenance of selected clones and polyclonal PRM shall take all measures to be able to make them verifiable by the competent authorities or any other person, on the basis of kept records.

Amendment 338
Isabel Carvalhais

Proposal for a regulation
Article 9 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Polyclonal PRM, registered in the Member States "selected clones and polyclonal material register" referred to in paragraph 2, is to be produced and marketed if it complies with all the requirements concerning standard material as referred to in Annex III Part C. Polyclonal PRM shall be accompanied by an operator's label with the indication

"Polyclonal material", in accordance with article 17.

Or. en

Amendment 339

Elsi Katainen

Proposal for a regulation

Article 10 – paragraph 1 – subparagraph 1

Text proposed by the Commission

A professional operator may, upon application, be authorised by the competent authority to perform all or certain activities required for certification of PRM under official supervision of the competent authority for pre-basic, basic and certified material or seeds, and to issue an official label for them.

Amendment

A professional operator may, upon application, be authorised by the competent authority to perform all or certain activities required for certification of PRM under official supervision of the competent authority for pre-basic, basic and certified material or seeds, and to issue an official label for them ***after an official conclusion according to Article 15(1).***

Or. en

Amendment 340

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 10 – paragraph 1 – subparagraph 1

Text proposed by the Commission

A professional operator may, upon application, ***be authorised by the competent authority*** to perform ***all or*** certain activities required for certification of PRM under official supervision of the competent authority for pre-basic, basic and certified material or seeds, and to issue an official label for them.

Amendment

Member States shall certify PRM and may, upon application, ***grant permission to a professional operator,*** to perform certain activities required for certification of PRM under official supervision of the competent authority for pre-basic, basic and certified material or seeds, and to issue an official label for them.

Or. en

Amendment 341
Martin Hlaváček

Proposal for a regulation
Article 10 – paragraph 1 – subparagraph 1

Text proposed by the Commission

A professional operator may, upon application, be authorised by the competent authority to perform all or certain activities required for certification of PRM under official supervision of the competent authority for ***pre-basic***, basic and certified material or seeds, and to ***issue*** an official label for them.

Amendment

A professional operator may, upon application, be authorised by the competent authority to perform all or certain activities required for certification of PRM under official supervision of the competent authority for, basic and certified material or seeds, and to ***print*** an official label for them.

Or. en

Amendment 342
Martin Hlaváček

Proposal for a regulation
Article 10 – paragraph 1 – subparagraph 2 – point c

Text proposed by the Commission

(c) employ qualified personnel for carrying out the sampling referred to in Annex II, or conclude contracts with ***companies*** employing qualified personnel for those activities;

Amendment

(c) employ qualified personnel for carrying out the sampling referred to in Annex II, or conclude contracts with ***other professional operators, involved in the production of PRM*** employing qualified personnel for those activities;

Or. en

Amendment 343
Isabel Carvalhais

Proposal for a regulation
Article 10 – paragraph 1 – subparagraph 2 – point c

Text proposed by the Commission

(c) employ qualified personnel for carrying out the sampling referred to in

Amendment

(c) employ qualified personnel for carrying out the sampling referred to in

Annex II, or conclude contracts with companies employing qualified personnel for those activities;

Annex II, or conclude contracts with companies ***or associations of professional operators*** employing qualified personnel for those activities;

Or. en

Amendment 344
Martin Hlaváček

Proposal for a regulation
Article 10 – paragraph 1 – subparagraph 2 – point d

Text proposed by the Commission

(d) employ specialised personnel and equipment to carry out the testing referred to in Annex II, or use laboratories employing qualified personnel for those activities;

Amendment

(d) employ specialised personnel and equipment to carry out the testing referred to in Annex II, or use ***seed testing*** laboratories employing qualified personnel for those activities;

Or. en

Amendment 345
Elsi Katainen

Proposal for a regulation
Article 10 – paragraph 2 – point a

Text proposed by the Commission

(a) procedure for the application submitted by the professional operator;

Amendment

deleted

Or. en

Justification

These procedures are more efficient if left as a matter of the Member States.

Amendment 346
Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 10 – paragraph 2 – point a

Text proposed by the Commission

(a) procedure for the application submitted by the professional operator;

Amendment

(a) procedure for the application submitted by the professional operator ***to the Member State concerned;***

Or. en

Amendment 347
Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 10 – paragraph 2 – point b

Text proposed by the Commission

(b) specific actions to be taken by the competent authority, in order to confirm the ***compliance with*** paragraph 1, points (a) to (g).

Amendment

(b) specific actions to be taken by the competent authority, in order to confirm the ***professional operator is capable to comply with the requirements under*** paragraph 1, points (a) to (g).

Or. en

Amendment 348
Martin Häusling

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

Where an authorised professional operator no longer fulfils the requirements set out in Article 10(1), the competent authority ***shall*** request that operator ***to take*** corrective actions within a specified period of time.

Amendment

Where an authorised professional operator no longer fulfils the requirements set out in Article 10(1), the competent authority ***may*** request that ***the professional*** operator ***takes*** corrective actions within a specified period of time; ***or***

Or. en

Amendment 349

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 11 – paragraph 2

Text proposed by the Commission

The competent authority shall without delay withdraw, ***or modify as appropriate,*** the authorisation, if the professional operator does not apply the corrective actions referred to in the first subparagraph within the specified period of time. In case it is concluded that the authorisation had been granted following fraud, the competent authority shall impose the appropriate sanctions to the professional operator.

Amendment

The competent authority shall without delay withdraw the authorisation, ***or in the case the competent authority requested corrective measures, verify if the obligations in (1) are fulfilled as appropriate. In any case*** if the professional operator does not apply the corrective actions referred to in the first subparagraph within the specified period of time ***the authorisation shall be withdrawn.*** In case it is concluded that the authorisation had been granted following fraud, the competent authority shall impose the appropriate sanctions to the professional operator.

Or. en

Amendment 350

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 12 – paragraph 1 – subparagraph 1

Text proposed by the Commission

For the purposes of the certification under official supervision, the competent authorities shall, at least once per year, conduct audits to ensure that the professional operator fulfils the requirements referred to in Article 10(1).

Amendment

If a Member State grants permission to a professional operator referred in Article 10(1), the competent authorities shall, at least once per year, conduct audits to ensure that the professional operator fulfils the requirements referred to in Article 10(1).

Or. en

Amendment 351

Daniel Buda

Proposal for a regulation

Article 12 – paragraph 1 – subparagraph 1

Text proposed by the Commission

For the purposes of the certification under official supervision, the competent authorities shall, at least once per year, conduct audits to ensure that the professional operator fulfils the requirements referred to in Article 10(1).

Amendment

For the purposes of the certification under official supervision, the competent authorities shall, at least once per year, conduct **regular** audits to ensure that the professional operator fulfils the requirements referred to in Article 10(1).

Or. ro

Amendment 352

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 12 – paragraph 1 – subparagraph 2

Text proposed by the Commission

They shall also organise training and examinations of the personnel carrying out field inspections, sampling and testing provided for in this Regulation.

Amendment

deleted

Or. en

Justification

This is a task that must remain under the sovereignty of the Member State and should not be delegated to any professional operator.

Amendment 353

Martin Häusling

Proposal for a regulation

Article 12 – paragraph 2 – subparagraph 1

Text proposed by the Commission

For ***the purposes of*** the certification ***under***

Amendment

For the ***certification the*** competent

official supervision, the competent authorities shall carry out official inspections, sampling and testing on a portion of the crops on the site of production and on lots of the PRM in order to confirm compliance of that material with the requirements referred to in Article 7.

authorities shall carry out official inspections, sampling and testing on a portion of the crops on the site of production and on lots of the PRM in order to confirm compliance of that material with the requirements referred to in Article 7.

Or. en

Amendment 354
Isabel Carvalhais

Proposal for a regulation
Article 12 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The Commission may, by means of ***implementing*** acts, specify the requirements for the audits, training, examinations, inspections, sampling and testing, as referred to in paragraphs 1 and 2, with regard to particular genera or species.

Amendment

The Commission may, by means of ***delegated*** acts, specify the requirements for the audits, training, examinations, inspections, sampling and testing, as referred to in paragraphs 1 and 2, with regard to particular genera or species.

Or. en

Amendment 355
Isabel Carvalhais

Proposal for a regulation
Article 12 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission

Those ***implementing*** acts may specify one or more of the following elements:

Amendment

Those ***delegated*** acts may specify one or more of the following elements:

Or. en

Amendment 356
Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation

Article 12 – paragraph 3 – subparagraph 2 – point b

Text proposed by the Commission

(b) monitoring **activities** to be carried out by the competent authorities;

Amendment

(b) monitoring **the certification** to be carried out by the competent authorities;

Or. en

Amendment 357

Isabel Carvalhais

Proposal for a regulation

Article 12 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission

(c) use of particular accreditation schemes by the professional operator, and the possibility for the competent authorities to reduce the inspections, sampling and testing, and monitoring activities referred to in this Article due to the use of those schemes.

Amendment

(c) **without prejudice of paragraph 1**, use of particular accreditation schemes by the professional operator, and the possibility for the competent authorities to reduce the inspections, sampling and testing, and monitoring activities referred to in this Article due to the use of those schemes.

Or. en

Amendment 358

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 13 – paragraph 1

Text proposed by the Commission

1. PRM shall be marketed in lots. The content of the varieties and species of each lot shall be sufficiently homogeneous regarding and identifiable by its users as distinct from other lots of PRM.

Amendment

1. PRM shall be marketed in lots. The content of the varieties and species of each lot shall be sufficiently homogeneous regarding and identifiable by its users as distinct from other lots of PRM.

These requirements shall not apply to PRM produced and marketed according

to Articles 22, and 26 to 30.

Or. en

Justification

Rules for the marketing of PRM in identifiable and distinct lots should not apply to the derogatory regimes of Section 7, which provide a general derogation to the requirements of Articles 5 to 25 of the proposed Regulation. This should be made clearer in the main provisions, and be properly echoed in the provisions related to the derogations.

Amendment 359

Martin Hlaváček

Proposal for a regulation

Article 13 – paragraph 1

Text proposed by the Commission

1. PRM shall be ***marketed in lots. The content of the varieties and species of each lot shall be*** sufficiently homogeneous ***regarding and identifiable by its users as distinct from*** other lots ***of PRM.***

Amendment

1. PRM shall be ***certified in*** sufficiently homogeneous ***lots. Each lot shall be distinguishable from all*** other lots ***by at least a lot reference number.***

Or. en

Amendment 360

Elsi Katainen

Proposal for a regulation

Article 13 – paragraph 2 – subparagraph 1

Text proposed by the Commission

During processing, packaging, storage, or at delivery, lots of PRM may be merged into a new lot ***only if they*** belong to the same variety ***and harvest year.***

Amendment

During processing, packaging, storage, or at delivery, lots of PRM may be merged into a new lot. ***When merged, pre-basic, basic and certified material and seed lots have to*** belong to the same variety.

Or. en

Justification

Currently CAC-material is marketed in mixed lots and it would not be practical to change this

practice. The concept of a lot is different in marketing from a lot in the production of planting material.

Amendment 361
Anne Sander

Proposal for a regulation
Article 13 – paragraph 2 – subparagraph 1

Text proposed by the Commission

During processing, packaging, storage, or at delivery, lots of PRM may be merged into a new lot only if they belong to the same variety *and harvest year*.

Amendment

During processing, packaging, storage, or at delivery, lots of PRM may be merged into a new lot only if they belong to the same variety.

Or. fr

Amendment 362
Bert-Jan Ruissen

Proposal for a regulation
Article 13 – paragraph 2 – subparagraph 1

Text proposed by the Commission

During processing, packaging, storage, or at delivery, lots of PRM may be merged into a new lot only if they belong to the same variety *and harvest year*.

Amendment

During processing, packaging, storage, or at delivery, lots of PRM may be merged into a new lot only if they belong to the same variety.

Or. en

Amendment 363
Martin Hlaváček

Proposal for a regulation
Article 13 – paragraph 2 – subparagraph 1

Text proposed by the Commission

During processing, packaging, storage, or at delivery, lots of PRM may be merged into a new lot only if they belong to the

Amendment

During processing, packaging, storage, or at delivery, lots of PRM may be merged into a new lot only if they belong to the

same variety *and harvest year*.

same variety.

Or. en

Amendment 364
Martin Hlaváček

Proposal for a regulation
Article 13 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Where lots consisting of different certification categories are merged, the new lot shall belong to the category of the component of the lowest category. *The merging operation may only be undertaken in a facility and by persons authorised by the competent authority for this specific purpose.*

Amendment

Where lots consisting of different certification categories are merged, the new lot shall belong to the category of the component of the lowest category. *Each lot resulting from merging operation shall undergo a new certification procedure and the professional operator shall notify the competent authority of the identity and quantity of the PRM used for merging.*

Or. en

Amendment 365
Isabel Carvalhais

Proposal for a regulation
Article 13 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. The requirements laid down in paragraph 1 to 5 shall not apply to PRM produced and marketed according to Article 26.

Or. en

Amendment 366
Isabel Carvalhais

Proposal for a regulation
Article 14 – paragraph 4

Text proposed by the Commission

4. Lots of pre-basic, basic or certified PRM may be repackaged, re-labelled, and re-sealed only ***under official control or*** under the official supervision of the competent authority.

Amendment

4. Lots of pre-basic, basic or certified PRM may be repackaged, re-labelled, and re-sealed only ***by the competent authority, or by the professional operator*** under the official supervision of the competent authority.

Or. en

Amendment 367
Martin Hlaváček

Proposal for a regulation
Article 14 – paragraph 5 – subparagraph 1

Text proposed by the Commission

By way of derogation from paragraph 1, ***seeds*** may be marketed from a professional operator directly to a farmer in bulk.

Amendment

By way of derogation from paragraph 1 ***seed potatoes with completed certification procedure***, may be marketed from a professional operator directly to a farmer in bulk.

Or. en

Amendment 368
Anne Sander

Proposal for a regulation
Article 14 – paragraph 5 – subparagraph 1

Text proposed by the Commission

By way of derogation from paragraph 1, seeds may be marketed from a professional operator directly to a farmer in bulk.

Amendment

By way of derogation from paragraph 1, ***certified or heterogeneous*** seeds may be marketed from a professional operator directly to a farmer in bulk.

Or. fr

Amendment 369

Irène Tolleret

Proposal for a regulation

Article 14 – paragraph 5 – subparagraph 1

Text proposed by the Commission

By way of derogation from paragraph 1, seeds ***may be marketed from a*** professional operator ***directly to a farmer*** in bulk.

Amendment

By way of derogation from paragraph 1, ***the last generation of seeds before commercialization to*** professional operator ***may be marketed*** in bulk.

Or. en

Justification

This provision should not apply to previous generations of seeds for which the requirements are high and cannot be reconciled with bulk bagging.

Amendment 370

Martin Hlaváček

Proposal for a regulation

Article 14 – paragraph 5 – subparagraph 2

Text proposed by the Commission

That professional operator ***shall be authorized for that purpose by the competent authority. It*** shall inform the competent authority in advance of such activity and of the lot from which such seed ***comes***.

Amendment

That professional operator shall inform the competent authority in advance of such activity and of the lot from which such seed ***potatoes come***.

Or. en

Amendment 371

Martin Hlaváček

Proposal for a regulation

Article 14 – paragraph 5 – subparagraph 3

Text proposed by the Commission

Where seed ***is*** loaded directly into the farmer's machinery or trailer, the professional operator and the farmer

Amendment

Where seed ***potatoes are*** loaded directly into the farmer's machinery or trailer, the professional operator and the farmer

concerned shall ensure traceability of that seed by issuing and retaining documents indicating the *species and* variety, quantity, the time of transfer and lot identification.

concerned shall ensure traceability of that seed **potatoes** by issuing and retaining documents indicating the variety, quantity, the time of transfer and lot identification.

Or. en

Amendment 372
Isabel Carvalhais

Proposal for a regulation
Article 14 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. The requirements laid down in paragraph 1 to 5 shall not apply to PRM produced and marketed according to Article 26.

Or. en

Amendment 373
Elsi Katainen

Proposal for a regulation
Article 15 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

The official label shall be issued by the competent authority and bear a serial number given by the competent authority.

The official label shall be issued by the competent authority **or the professional operator, under the official supervision of the competent authority**, and bear a serial number given by the competent authority **or the professional operator, under the official supervision of the competent authority**.

Or. en

Justification

To have a flexibility in line with the current rule of fruit plant sector.

Amendment 374
Elsi Katainen

Proposal for a regulation
Article 15 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission

(a) the competent authority, if so requested by the professional operator, or if the professional operator is not authorised to carry out certification under official supervision, by the competent authority in accordance with Article 10; or

Amendment

(a) the competent authority ***who issued the official label***, if so requested by the professional operator, or if the professional operator is not authorised to carry out certification under official supervision, by the competent authority in accordance with Article 10; or

Or. en

Amendment 375
Martin Hlaváček

Proposal for a regulation
Article 15 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission

(a) the competent authority, if so requested by the professional operator, or if the professional operator is not authorised to ***carry out certification*** under official supervision, by the competent authority in accordance with Article 10; or

Amendment

(a) the competent authority, if so requested by the professional operator, or if the professional operator is not authorised to ***print official labels*** under official supervision, by the competent authority in accordance with Article 10; or

Or. en

Amendment 376
Martin Hlaváček

Proposal for a regulation
Article 15 – paragraph 2 – subparagraph 2 – point b

Text proposed by the Commission

(b) the professional operator, under the official supervision of the competent authority, where the professional operator

Amendment

(b) the professional operator, under the official supervision of the competent authority, where the professional operator

is authorised to ***carry out certification under*** official supervision in accordance with Article 10.

is authorised to ***print official labels*** official supervision in accordance with Article 10.

Or. en

Amendment 377

Martin Hlaváček

Proposal for a regulation

Article 15 – paragraph 2 – subparagraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) the third party acting under the responsibility of the professional operator according to (b).

Or. en

Amendment 378

Elsi Katainen

Proposal for a regulation

Article 15 – paragraph 6

Text proposed by the Commission

Amendment

6. By way of derogation from paragraphs 1 to 5, pre-basic, basic material and seed basic ***material and seed*** and certified ***material and*** seed, imported from third countries pursuant to Article 39, shall be marketed in the Union with the respective OECD label that was accompanying them at import.

6. By way of derogation from paragraphs 1 to 5, pre-basic, basic material and seed basic and certified seed, imported from third countries pursuant to Article 39, shall be marketed in the Union with the respective OECD label that was accompanying them at import.

Or. en

Justification

OECD label is only for certain type of PRM i.e. seeds

Amendment 379

Bert-Jan Ruissen

**Proposal for a regulation
Article 16 – paragraph 2**

Text proposed by the Commission

The operator's label shall be issued, printed and affixed by the professional operator, or by a person acting under the responsibility of the professional **opeartor**, on the **outside of a** bundle, package or container.

Amendment

The operator's label shall be issued, printed and affixed, **on the outside of a bundle, package or container** by the professional operator, or by a person acting under the responsibility of the professional **operator**. ***The information that needs to be included in the operator's label may also directly be printed on the bundle, package or container by the professional operator, or by a person acting under the responsibility of the professional operator.***

Or. en

Justification

It should be possible to print the prescribed information directly on the packaging

**Amendment 380
Elsi Katainen**

**Proposal for a regulation
Article 16 – paragraph 2**

Text proposed by the Commission

The operator's label shall be issued, printed and affixed by the professional operator, or by a person acting under the responsibility of the professional opeartor, on the outside of a **bundle**, package or container.

Amendment

The operator's label shall be issued **and** printed and **in the case of seeds also** affixed by the professional operator, or by a person acting under the responsibility of the professional opeartor, on the outside of a package or container.

Or. en

Justification

Requirement for fixing the label is problematic due to practical reasons in PRM other than seeds. The current rules should not be tightened.

Amendment 381
Martin Hlaváček

Proposal for a regulation
Article 16 – paragraph 2

Text proposed by the Commission

The operator's label shall be issued, printed and affixed by the professional operator, or by a person acting under the responsibility of the professional operator, on the outside of a bundle, package or container.

Amendment

The operator's label shall be issued, printed and affixed by the professional operator, or by a person acting under the responsibility of the professional operator, on the outside of a **plant** bundle, package or container.

Or. en

Amendment 382
Isabel Carvalhais

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

2. The official label and the operator's label shall be legible, indelible, not modifiable if tampered with, printed on one side, not having been used previously, and easily visible.

Amendment

2. The official label and the operator's label shall be legible, indelible, not modifiable if tampered with, printed on one side, not having been used previously, and easily visible. ***It shall indicate in a visible manner reference to any existing intellectual property rights on the marketed variety.***

Or. en

Amendment 383
Martin Hlaváček

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

2. The official label and the operator's label shall be legible, indelible, not modifiable if tampered with, printed on one

Amendment

2. The official label and the operator's label shall be legible, indelible, not modifiable if tampered with, printed on one

side, not having been used previously, and easily visible.

side, ***made of untearable material unless it is an adhesive label***, not having been used previously, and easily visible.

Or. en

Amendment 384

Bert-Jan Ruissen

Proposal for a regulation

Article 17 – paragraph 3

Text proposed by the Commission

3. Any space of the official label or the operator's label apart from the elements mentioned in paragraph 4, may be used for additional information by the competent authority. Such information shall be presented in letters not larger than those used for the content of the official label or the operator's label as referred to in paragraph 4. That additional information shall be strictly factual, it shall not represent advertising material, and shall be related only to the production and marketing requirements or to labelling requirements ***for genetically modified organisms or category 1 NGT plants as defined in Article 3(7) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...).*** .

Amendment

3. Any space of the official label or the operator's label apart from the elements mentioned in paragraph 4, may be used for additional information by the competent authority. Such information shall be presented in letters not larger than those used for the content of the official label or the operator's label as referred to in paragraph 4. That additional information shall be strictly factual, it shall not represent advertising material, and shall be related only to the production and marketing requirements or to labelling requirements ***as specified in other relevant EU legislation.***

Or. en

Amendment 385

Isabel Carvalhais

Proposal for a regulation

Article 17 – paragraph 3

Text proposed by the Commission

3. Any space of the official label or the operator's label apart from the elements mentioned in paragraph 4, ***may*** be used for

Amendment

3. Any space of the official label or the operator's label apart from the elements mentioned in paragraph 4, ***shall*** be used for

additional information by the competent authority. Such information shall be presented in letters not larger than those used for the content of the official label or the operator's label as referred to in paragraph 4. That additional information shall be strictly factual, it shall not represent advertising **material**, and shall be related only to the production and marketing requirements or to labelling **requirements for** genetically modified organisms or category 1 NGT plants as defined in Article 3(7) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...). .

additional information by the competent authority. Such information shall be presented in letters not larger than those used for the content of the official label or the operator's label as referred to in paragraph 4. That additional information shall be strictly factual, it shall not represent advertising **information**, and shall be related only to the production and marketing requirements or to labelling **information on** genetically modified organisms or category 1 NGT plants as defined in Article 3(7) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation ...). .

Or. en

Amendment 386
Maria Noichl

Proposal for a regulation
Article 17 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

(a) the official label referred to in Article 15(1);

Amendment

(a) the official label referred to in Article 15(1), ***including a mandatory reference to any intellectual property rights covering the variety, its components, characteristics and development process, including where applicable the number of any relevant patent(s), as well as an indication if the variety is an F1 hybrid;***

Or. en

Justification

Farmers and breeders need access to information and respective transparency over plant variety protection and patents which can restrict their further use. Therefore the information is needed in the label of PRM. Farmers and breeders also need information whether seeds are F1 hybrids or not as this affects the possibility to save or re-use the seeds.

Amendment 387

Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 17 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

(a) the official label referred to in Article 15(1);

Amendment

(a) the official label referred to in Article 15(1), ***including mandatory reference to existing intellectual property rights covering the variety, its components, characteristics or development process, when known ;***

Or. en

Justification

Transparency over intellectual property rights, such as plant variety protection and patents, that restrict the further use of the variety and its PRM is crucial information for those buying the seeds, whether farmers or breeders. Such legal certainty cannot only be achieved through the mention of existing IPR in the variety register but should also be included in the label that accompanies the PRM.

Amendment 388
Isabel Carvalhais

Proposal for a regulation
Article 17 – paragraph 4 – subparagraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) the label for polyclonal material referred to in Article 9 (4);

Or. en

Amendment 389
Maria Noichl

Proposal for a regulation
Article 17 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) the operator's label referred to in

(b) the operator's label referred to in

Article 16;

Article 16 *including a mandatory reference to any intellectual property rights covering the variety, its components, characteristics and development process, including where applicable the number of any relevant patent(s), as well as an indication if the variety is an F1 hybrid;*

Or. en

Justification

Farmers and breeders need access to information and respective transparency over plant variety protection and patents which can restrict their further use. Therefore the information is needed in the label of PRM. Farmers and breeders also need information whether seeds are F1 hybrids or not as this affects the possibility to save or re-use the seeds.

Amendment 390

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 17 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

(b) the operator's label referred to in Article 16;

Amendment

(b) the operator's label referred to in Article 16, *including mandatory reference to existing intellectual property rights covering the variety, its components, characteristics or development process, when known ;*

Or. en

Justification

Transparency over intellectual property rights, such as plant variety protection and patents, that restrict the further use of the variety and its PRM is crucial information for those buying the seeds, whether farmers or breeders. Such legal certainty cannot only be achieved through the mention of existing IPR in the variety register but should also be included in the label that accompanies the PRM.

Amendment 391

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 17 – paragraph 4 – subparagraph 1 – point h

Text proposed by the Commission

Amendment

(h) the label for the PRM marketed by certain gene banks, organisations and networks referred to in Article 29; **deleted**

Or. en

Justification

Rules for the labelling of PRM circulated for the purpose of the conservation and sustainable use of plant genetic resources and agro-biodiversity are unnecessary. Every additional administrative burden is a deterrent to conservation and sustainable use, where the resources and capacity to deal with (unnecessary) marketing rules are extremely limited. To a large extent, the information that must be provided when PRM is transferred from gene banks is governed already by the Standard Material Transfer Agreement under the International Treaty on Plant Genetic Resources for Food and Agriculture.

Amendment 392

Isabel Carvalhais

Proposal for a regulation

Article 17 – paragraph 4 – subparagraph 1 – point h

Text proposed by the Commission

Amendment

(h) the label for the PRM marketed by certain gene banks, organisations and networks referred to in Article 29; **deleted**

Or. en

Amendment 393

Martin Hlaváček

Proposal for a regulation

Article 17 – paragraph 4 – subparagraph 1 – point n a (new)

Text proposed by the Commission

Amendment

(n a) The label for PRM of organic heterogeneous material referred to in

Article 27.

Or. en

Amendment 394
Martin Hlaváček

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

The official label **and the** operator's label shall be issued for each lot.

Amendment

At least one official label **or one** operator's label shall be issued for each lot.

Or. en

Amendment 395
Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 19 – paragraph 1 – point b

Text proposed by the Commission

(b) the PRM concerned is withdrawn from the market or is used as material other than PRM;

Amendment

(b) the PRM concerned is withdrawn from the market or is used as material other than PRM **with a view to its marketing**;

Or. en

Justification

Even if the production or marketing has been found not to fulfil the requirements set out under the regulation, it should still be possible for a farmer to use the PRM for their own use, if they wish.

Amendment 396
Bert-Jan Ruissen

Proposal for a regulation
Article 19 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the professional operator **is** sanctioned by additional means to the withdrawal or modification of the authorisation referred to in Article 11.

(d) the professional operator **may be** sanctioned by additional means to the withdrawal or modification of the authorisation referred to in Article 11.

Or. en

Justification

The wording proposed in the amendment gives room to weigh the gravity of the infringement or repeat offenders in stead of always immediately sanction as is suggested by the word 'is'.

Amendment 397

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

Amendment

1. PRM belonging to the genera or species as listed in Annex IV may only be produced and marketed as pre-basic, basic or certified seeds or material.

1. PRM belonging to the genera or species as listed in Annex IV may only be produced and marketed as pre-basic, basic or certified seeds or material, **except for PRM marketed in accordance with Articles 22, 26 or 27.**

Or. en

Justification

PRM of conservation varieties, preservation mixtures and heterogeneous material should be allowed to be sold in standard quality, without going through mandatory seed certification. Mandatory seed certification for PRM of conservation varieties is an unproportionate requirement that will deter the access and availability of diverse seeds in the EU market. Currently, the production of organic heterogeneous material derogates to the seed lot certification requirements. We should maintain what has been successfully implemented by professional operators and competent authorities for two years.

Amendment 398

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

1. PRM belonging to the genera or species as listed in Annex IV may only be produced and marketed as pre-basic, basic or certified seeds or material.

Amendment

1. PRM belonging to the genera or species as listed in Annex IV may only be produced and marketed as pre-basic, basic or certified seeds or material, ***except for PRM marketed in accordance with Articles 26 or 27.***

Or. en

Justification

Seeds and material of conservation varieties and heterogeneous material should be allowed to be sold in standard quality, without going through mandatory seed certification.

Amendment 399

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 20 – paragraph 2 – subparagraph 4

Text proposed by the Commission

The delegated act referred to in the first subparagraph shall remove a genus or a species from Annex IV, if one of the conditions set out in the second subparagraph, point (b), points (i) and (ii), is no longer fulfilled.

Amendment

The delegated act referred to in the first subparagraph shall remove a genus or a species from Annex IV, if one of the conditions set out in the second subparagraph, point (b), points (i) and (ii), is no longer fulfilled.

At the request of a Member State, the Commission may authorise the addition or removal of a genus or species listed in Annex IV for the marketing of PRM on its territory. This request shall be based on an assessment including the conditions described in the second paragraph.

Or. en

Justification

The amendment creates flexibility for competent authorities, especially of smaller countries, to avoid undue administrative burden in market segments that remain insignificant in their territories, or when faced with supply challenges for example. This flexibility exists under the

current legislation.

Amendment 400

Luke Ming Flanagan

on behalf of The Left Group

Proposal for a regulation

Article 20 – paragraph 2 – subparagraph 4

Text proposed by the Commission

The delegated act referred to in the first subparagraph shall remove a genus or a species from Annex IV, if one of the conditions set out in the second subparagraph, point (b), points (i) and (ii), is no longer fulfilled.

Amendment

The delegated act referred to in the first subparagraph shall remove a genus or a species from Annex IV, if one of the conditions set out in the second subparagraph, point (b), points (i) and (ii), is no longer fulfilled, ***at the request of a Member State, the Commission may authorise the addition or removal of a genus or species listed in Annex IV for the marketing of PRM on its territory. This request shall be based on an assessment including the conditions described in the second paragraph.***

Or. en

Justification

The amendment creates flexibility for competent authorities, especially of smaller countries, to provide that further species should be allowed to be sold in standard quality, without going through mandatory seed certification. This is important to avoid undue administrative burden in market segments that remain insignificant in their territory, or when faced with supply challenges. This flexibility is given under the current legislation.

Amendment 401

Isabel Carvalhais

Proposal for a regulation

Article 20 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. At the request of a Member State, the Commission may authorize the addition or removal of a genus or species listed in Annex IV for the marketing of

PRM on its territory. This request shall be based on an assessment taking into account elements listed in paragraph 2.

Or. en

Amendment 402

Martin Hlaváček

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Mixtures of certified seed or mixtures of standard seed of various genera or species listed in Part A of Annex I and complying with the requirements of Articles 5 to 8, as well as of different varieties of those genera or species, may be produced and marketed in the Union, if they fullfill the requirements of this Article.

Amendment

Mixtures of certified seed or mixtures of standard seed of various genera or species listed in Part A of Annex I and complying with the requirements of Articles 5 to 8, ***together with seed of genera or species not listed in that Annex*** as well as of different varieties of those genera or species ***and mixtures of different varieties of standard seed of vegetables listed in Part B of Annex I***, may be produced and marketed in the Union, if they fullfill the requirements of this Article.

Or. en

Amendment 403

Annie Schreijer-Pierik

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Mixtures of certified seed or mixtures of standard seed of various genera or species listed in Part A of Annex I and complying with the requirements of Articles 5 to 8, as well as of different varieties of those genera or species, may be produced and marketed in the Union, if they fullfill the requirements of this Article.

Amendment

Mixtures of certified seed or mixtures of standard seed of various genera or species listed in Part A of Annex I, ***whether or not in combination with commercial seed*** and complying with the requirements of Articles 5 to 8, as well as of different varieties of those genera or species, may be produced and marketed in the Union, if they fullfill the requirements of this

Article.

Or. en

Justification

Commercial seed is often used in mixtures directed towards biodiversity goals. The option should therefore remain possible.

Amendment 404
Bert-Jan Ruissen

Proposal for a regulation
Article 21 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Mixtures of certified seed or mixtures of standard seed of various genera or species listed in Part A of Annex I and complying with the requirements of Articles 5 to 8, as well as of different varieties of those genera or species, may be produced and marketed in the Union, if they fullfill the requirements of this Article.

Amendment

Mixtures of certified seed or mixtures of standard seed of various genera or species listed in Part A of Annex I ***whether or not in combination with commercial seed*** and complying with the requirements of Articles 5 to 8, as well as of different varieties of those genera or species, may be produced and marketed in the Union, if they fullfill the requirements of this Article.

Or. en

Justification

commercial seed is often used in mixtures directed towards biodiversity goals. It is not heterogeneous material as defined but should remain possible to add to mixtures certified for example to be free from weeds.

Amendment 405
Bert-Jan Ruissen

Proposal for a regulation
Article 21 – paragraph 1 – subparagraph 2 – point b

Text proposed by the Commission

(b) an operator's label, in the case where the mixture consists only of standard

Amendment

(b) an operator's label, in the case where the mixture consists only of standard seed, or of certified and standard seed

seed, or of certified and standard seed.

and/or commercial seed.

Or. en

Justification

See amendment to article 21 paragraph 1

Amendment 406

Annie Schreijer-Pierik

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 2 – point b

Text proposed by the Commission

(b) an operator's label, in the case where the mixture consists only of standard seed, or of certified and standard seed.

Amendment

(b) an operator's label, in the case where the mixture consists only of standard seed, or of certified and standard seed *and/or commercial seed.*

Or. en

Amendment 407

Martin Hlaváček

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 2 – point b

Text proposed by the Commission

(b) an operator's label, *in the case where the mixture consists only of standard seed, or of certified and standard seed.*

Amendment

(b) an operator's label *all other cases.*

Or. en

Amendment 408

Bert-Jan Ruissen

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 3

Text proposed by the Commission

For the purposes of the second subparagraph, point (a), the professional operators shall submit to the competent authority the list of constituent varieties of the mixture and their ratios, for verification of eligibility of those varieties.

Amendment

For the purposes of the second subparagraph, point (a), the professional operators shall submit to the competent authority the list of constituent varieties **and commercial seed components** of the mixture and their ratios, for verification of eligibility of those varieties.

Or. en

Amendment 409

Annie Schreijer-Pierik

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 3

Text proposed by the Commission

For the purposes of the second subparagraph, point (a), the professional operators shall submit to the competent authority the list of constituent varieties of the mixture and their ratios, for verification of eligibility of those varieties.

Amendment

For the purposes of the second subparagraph, point (a), the professional operators shall submit to the competent authority the list of constituent varieties of the mixture and **commercial seed components and** their ratios, for verification of eligibility of those varieties.

Or. en

Amendment 410

Norbert Lins

Proposal for a regulation

Article 22

Text proposed by the Commission

Article 22

Preservation mixtures

1.

By way of derogation from Article 21(1), Member States may authorise the production and marketing of a mixture of seeds of various genera or species listed in

Amendment

deleted

Part A of Annex I, as well as of different varieties of those genera or species, together with seeds of genera or species of other Parts of that Annex, or of genera or species not listed in that Annex, if such a mixture fulfils all of the following conditions:

(a) it contributes to the conservation of genetic resources, or the restoration of the natural environment; and

(b) it is naturally associated with a particular area ('source area') contributing to the conservation of genetic resources or the restoration of the natural environment;

(c) it complies with the requirements of Annex V.

Such mixture constitutes a 'preservation mixture' and this shall be mentioned on its label.

2.

The Commission is empowered to adopt a delegated act, in accordance with Article 75, amending Annex V concerning the following elements:

(a) authorisation requirements for mixtures of seeds collected directly from a natural place belonging to a defined source area, for the conservation and restoration of the natural environment (directly harvested preservation mixtures);

(b) authorisation requirements for crop-grown preservation mixtures;

(c) use and content of certain species;

(d) requirements on sealing and packaging;

(e) requirements for the authorisation of the professional operators.

Those amendments shall be based on the experience gathered by the implementation of this Article, and any technical and scientific developments and the improvement of the quality and identification of preservation mixtures.

They may concern particular genera or species only.

3.

Professional operators shall report to the respective competent authorities, for each production season, the amount of preservation mixtures produced and marketed by them.

The Member States shall report on request to the Commission and to the other Member States the amount of preservation mixtures produced and marketed in their territory and, where applicable, the names of competent authorities responsible for plant genetic resources or of organisations recognised for this purpose.

Or. de

Justification

Breeding forms in preservation mixtures are contrary to the goal of establishing permanent species-rich wild species populations while protecting diversity within given species. Preservation mixtures are special mixtures with small quantities. Individual customer requirements, adaptations to the location, the promotion of species groups or narrow origin specifications make permanent remixing necessary.

Amendment 411

Norbert Lins

Proposal for a regulation

Article 22 – paragraph 1

Text proposed by the Commission

Amendment

<p>1. By way of derogation from Article 21(1), Member States may authorise the production and marketing of a mixture of seeds of various genera or species listed in Part A of Annex I, as well as of different varieties of those genera or species, together with seeds of genera or species of other Parts of that Annex, or of genera or species not listed in that Annex, if such a mixture fulfils all of the following</p>	<p>deleted</p>
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conditions:

(a) it contributes to the conservation of genetic resources, or the restoration of the natural environment; and

(b) it is naturally associated with a particular area ('source area') contributing to the conservation of genetic resources or the restoration of the natural environment;

(c) it complies with the requirements of Annex V.

Such mixture constitutes a 'preservation mixture' and this shall be mentioned on its label.

Or. de

Justification

Breeding forms in preservation mixtures are contrary to the goal of establishing permanent species-rich wild species populations while protecting diversity within given species.

Amendment 412

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 22 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

By way of derogation from Article 21(1), Member States may authorise the production and marketing of a mixture of seeds of various genera or species listed in Part A of Annex I, as well as ***of different varieties of those genera or species, together with seeds*** of genera or species of other Parts of that Annex, or of genera or species not listed in that Annex, if such a mixture fulfils all of the following conditions:

Amendment

By way of derogation ***from Articles 5 to 8 and*** from Article 21(1), Member States may authorise the production and marketing of a mixture of seeds of various genera or species listed in Part A ***and Part B*** of Annex I, as well as of genera or species of other Parts of that Annex, or of genera or species not listed in that Annex, if such a mixture fulfils all of the following conditions:

Or. en

Justification

Varieties should not be used in preservation mixtures, as this would contradict the purpose of preservation mixtures, which is to protect regionally specific genetic variations of indigenous species and to restore the natural environment.

Amendment 413

Daniel Buda

Proposal for a regulation

Article 22 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) it is naturally associated with a particular area (**'source area'**) contributing to the conservation of genetic resources or the restoration of the natural environment;

Amendment

(b) it is naturally associated with a particular area (**'region of origin'**) contributing to the conservation of genetic resources or the restoration of the natural environment; **and 'Justification - ensures the compatibility of the terms 'source area' and 'region of origin' - Article 3 of Directive (EU) 2010/60, with reference to preservation mixtures.**

Or. ro

Amendment 414

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 22 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) it is naturally associated with a particular area (**'source area'**) contributing to the conservation of genetic resources or the restoration of the natural environment;

Amendment

(b) it is naturally associated with a particular area (**'region of origin'**) contributing to the conservation of genetic resources or the restoration of the natural environment;

Or. en

Justification

The definition of 'source area' given in Annex V corresponds to the definition of 'region of origin' in Article 3 of EU Directive 2010/60, which currently regulates the marketing of

preservation mixtures. To avoid confusion in the future, it is important to maintain the terms and definitions as they are known by the stakeholders and competent authorities.

Amendment 415
Daniel Buda

Proposal for a regulation
Article 22 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

(a) authorisation requirements for mixtures of seeds collected directly from a natural place belonging to a defined **source area**, for the conservation and restoration of the natural environment (directly harvested preservation mixtures);

Amendment

(a) authorisation requirements for mixtures of seeds collected directly from a natural place belonging to a defined **region of origin**, for the conservation and restoration of the natural environment (directly harvested preservation mixtures);

Or. ro

Amendment 416
Norbert Lins

Proposal for a regulation
Article 22 – paragraph 3

Text proposed by the Commission

3. Professional operators shall report to the respective competent authorities, for each production season, the amount of preservation mixtures produced and marketed by them.

The Member States shall report on request to the Commission and to the other Member States the amount of preservation mixtures produced and marketed in their territory and, where applicable, the names of competent authorities responsible for plant genetic resources or of organisations recognised for this purpose.

Amendment

deleted

Or. de

Justification

Preservation mixtures are special mixtures with small quantities. Individual customer requirements, adaptations to the location, the promotion of species groups or narrow origin specifications make permanent remixing necessary. One solution would be a subsequent quantity declaration of the seed types placed on the market in mixtures and the storage of duplicate labels for several years.

Amendment 417
Martin Häusling

Proposal for a regulation
Article 24 – paragraph 5

Text proposed by the Commission

5. In the case of control of varietal identity and purity, ***the use of*** bio-molecular techniques ***may be used*** as a supplementary tool where the results of the control plot tests referred to in paragraph 1 are non conclusive

Amendment

5. In the case of control of varietal identity and purity, ***an operator may use*** bio-molecular techniques as a supplementary tool where the results of the control plot tests referred to in paragraph 1 are non conclusive

Or. en

Amendment 418
Luke Ming Flanagan
on behalf of The Left Group

Proposal for a regulation
Article 25

Text proposed by the Commission

Article 25

Control plot tests for standard seeds

1. After the marketing of standard seeds, the competent authorities shall carry out control plot tests to check whether the seeds comply with the respective varietal identity and varietal purity requirements, and with other requirements, as appropriate.

2. The proportion of the control plot tests shall be determined on the basis of a risk

Amendment

deleted

analysis concerning possible non-compliance of the respective seeds with those requirements.

3. Based on the risk analysis of non-compliance with the respective rules, the control plot tests referred to in paragraph 1 shall be carried out annually, by using samples taken by the competent authority from homogeneous seed lots. Those tests shall assess identity and varietal purity of the seed concerned, and its germination rate and analytical purity.

4. In the case of control of varietal identity and purity, the use of biomolecular techniques may be used as a supplementary tool where the results of the control plot tests referred to in paragraph 1 are non-conclusive.

Or. en

Justification

Under the current legislation there is no EU requirement for competent authorities to carry out control plot tests on standard seeds. It would result in a huge administrative cost, if competent authorities are obliged to do so in future.

Amendment 419

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 25

Text proposed by the Commission

Amendment

Article 25

deleted

Control plot tests for standard seeds

1. After the marketing of standard seeds, the competent authorities shall carry out control plot tests to check whether the seeds comply with the respective varietal identity and varietal purity requirements, and with other requirements, as appropriate.

2. The proportion of the control plot tests

shall be determined on the basis of a risk analysis concerning possible non-compliance of the respective seeds with those requirements.

3. Based on the risk analysis of non-compliance with the respective rules, the control plot tests referred to in paragraph 1 shall be carried out annually, by using samples taken by the competent authority from homogeneous seed lots. Those tests shall assess identity and varietal purity of the seed concerned, and its germination rate and analytical purity.

4. In the case of control of varietal identity and purity, the use of bio-molecular techniques may be used as a supplementary tool where the results of the control plot tests referred to in paragraph 1 are non conclusive.

Or. en

Justification

Under the current legislation there is no EU requirement for competent authorities to carry out control plot tests on standard seeds. It would result in a huge administrative cost, particularly in light of the large number of vegetable species and varieties, which in general are marketed standard seeds, in addition to future conservation varieties. In most Member States, the competent authorities simply do not have human or cultivation capacity for this work. The existing post marketing controls are sufficient to ensure standard seeds meet the relevant quality standards.

Amendment 420 **Isabel Carvalhais**

Proposal for a regulation **Article 25 – paragraph 1**

Text proposed by the Commission

1. After the marketing of standard seeds, the competent authorities shall carry out control plot tests to check whether the seeds comply with the ***respective varietal identity and varietal purity*** requirements, ***and with other requirements***, as appropriate.

Amendment

1. After the marketing of standard seeds, the competent authorities shall carry out control plot tests to check whether the seeds comply with the requirements ***set out in Article 8 and Annex III***, as appropriate.

Amendment 421

Daniel Buda, Dan-Ștefan Motreanu

Proposal for a regulation

Article 25 – paragraph 1

Text proposed by the Commission

1. After the marketing of standard seeds, the competent authorities **shall** carry out control plot tests to check whether the seeds comply with the respective varietal identity and varietal purity requirements, and with other requirements, as appropriate.

Amendment

1. After the marketing of standard seeds, the competent authorities **may** carry out control plot tests to check whether the seeds comply with the respective varietal identity and varietal purity requirements, and with other requirements, as appropriate.

Or. ro

Amendment 422

Isabel Carvalhais

Proposal for a regulation

Article 25 – paragraph 2

Text proposed by the Commission

2. The proportion of the control plot tests shall be determined on the basis of a risk analysis concerning possible non-compliance of the respective seeds with those requirements.

Amendment

2. The proportion of the control plot tests shall be determined on the basis of a risk analysis concerning possible non-compliance of the respective seeds with those requirements. ***Such risk analysis shall be carried out by the competent authority on the basis of territorial characteristics, the existence of plant health risks in the region, and the track record of the professional operator.***

Or. en

Amendment 423

Isabel Carvalhais

Proposal for a regulation
Article 26 – paragraph 1

Text proposed by the Commission

1. By way of derogation from Article 20, PRM belonging to a conservation variety registered in a national variety register referred to in Article 44(1), point (b), may be produced and marketed in the Union as standard seed or material, if it complies with all the requirements concerning standard seed and material for the respective species, as referred to in Article 8.

Amendment

1. By way of derogation from Article 20, PRM ***of genera and species listed in Annex I and*** belonging to a conservation variety registered in a national variety register referred to in Article 44(1), point (b), may be produced and marketed in the Union as standard seed or material, if it complies with all the requirements concerning standard seed and material for the respective species, as referred to in Article 8.

Or. en

Amendment 424
Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 26 – paragraph 1

Text proposed by the Commission

1. By way of derogation from Article 20, PRM belonging to a conservation variety registered in a national variety register referred to in Article 44(1), point (b), may be produced and marketed in the Union as standard seed or material, if it complies with all the requirements concerning standard seed and material for the respective species, as referred to in Article 8.

Amendment

1. By way of derogation from Article 20 ***of all genera or species listed in Annex I***, PRM belonging to a conservation variety registered in a national variety register referred to in Article 44(1), point (b), may be produced and marketed in the Union as standard seed or material, if it complies with all the requirements concerning standard seed and material for the respective species, as referred to in Article 8.

Or. en

Justification

The amendment clarifies that it possible to market conservation varieties of all regulated genera and species as standard seed or material. The requirements for certified seed and material are too onerous for the production of certified seeds from these varieties, which are generally produced for a small target market and by smaller, local producers.

Amendment 425

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 26 – paragraph 3

Text proposed by the Commission

Amendment

3. *A professional operator who uses this derogation shall annually notify to the competent authority this activity, with regard to the species and quantities concerned.* **deleted**

Or. en

Justification

The annual reporting requirement would be an additional burden both for the operator and for the competent authority, with no good justification. Additionally, it is unclear whether the requirement concerns the amount of PRM produced or the amount marketed.

Amendment 426

Bert-Jan Ruissen

Proposal for a regulation

Article 27 – paragraph 1

Text proposed by the Commission

Amendment

1. By way of derogation from Article 5, PRM of heterogeneous material may be produced and marketed within the Union without belonging to a variety. The heterogeneous material shall be notified to and register by the competent authority prior to its production and/or marketing, in accordance with the requirements set out in Annex VI.

1. By way of derogation from Article 5, PRM of heterogeneous material **other than genera and species mentioned in Annex IX** may be produced and marketed within the Union without belonging to a variety. The heterogeneous material shall be notified to and register by the competent authority prior to its production and/or marketing, in accordance with the requirements set out in Annex VI.

Or. en

Amendment 427

Anne Sander

Proposal for a regulation
Article 27 – paragraph 1

Text proposed by the Commission

1. By way of derogation from Article 5, PRM of heterogeneous material may be produced and marketed within the Union without belonging to a variety. The heterogeneous material shall be notified to and register by the competent authority prior to its production and/or marketing, in accordance with the requirements set out in Annex VI.

Amendment

1. By way of derogation from Article 5, PRM of heterogeneous material ***other than fodder plants*** may be produced and marketed within the Union without belonging to a variety. The heterogeneous material shall be notified to and register by the competent authority prior to its production and/or marketing, in accordance with the requirements set out in Annex VI.

Or. fr

Amendment 428
Isabel Carvalhais

Proposal for a regulation
Article 27 – paragraph 2

Text proposed by the Commission

2. By way of derogation from Articles **7(1), (3)** and Article **8(1), (3)**, the PRM of heterogeneous material referred to in paragraph 1 shall be produced and marketed in accordance with the requirements set out in Annex VI.

Amendment

2. By way of derogation from Articles 7 and Article **8 and Articles 13 to 20**, the PRM of heterogeneous material referred to in paragraph 1 shall be produced and marketed in accordance with the requirements set out in Annex VI.

Or. en

Amendment 429
Martin Häusling
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 27 – paragraph 2

Text proposed by the Commission

2. By way of derogation from **Articles**

Amendment

2. By way of derogation from **Article**

7(1), (3) and Article 8(1), (3), the PRM of heterogeneous material referred to in paragraph 1 shall be produced and marketed in accordance with the requirements set out in Annex VI.

7, Article 8, and Articles 14 to 20, the PRM of heterogeneous material referred to in paragraph 1 shall be produced and marketed in accordance with the requirements set out in Annex VI.

Or. en

Justification

The current wording of Article 27, read together with Article 81, effectively replaces the definition of organic heterogeneous material, the result of a lengthy negotiation process between European institutions with co-decision powers. This amendment and the following ones mirror the content of Article 13 of the Organic Regulation, and of Commission Regulation 2021/1189 so that what has been successfully implemented by stakeholders and competent authorities these last 2 years is not modified again.

Amendment 430 **Isabel Carvalhais**

Proposal for a regulation

Article 27 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

The Commission is empowered to adopt a delegated act in accordance with Article 75, amending Annex VI. Those amendments may concern all, or particular genera or species only, and shall:

Amendment

The Commission is empowered to adopt a delegated act in accordance with Article 75, amending Annex VI. Those amendments may concern all, or particular genera or species only, ***with the exception of organic heterogeneous material***, and shall:

Or. en

Amendment 431 **Isabel Carvalhais**

Proposal for a regulation

Article 27 – paragraph 3 – subparagraph 1 – point c

Text proposed by the Commission

(c) improve the rules on maintenance of heterogeneous PRM, on the basis of the emergence of best practices.

Amendment

deleted

Amendment 432

Martin Häusling

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 27 – paragraph 3 – subparagraph 1 – point c

Text proposed by the Commission

(c) improve the rules on *maitenance* of heterogenous PRM, on the basis of the emergence of best practices.

Amendment

(c) improve the rules on *maintenance* of heterogenous PRM, *where applicable*, on the basis of the emergence of best practices.

Or. en

Justification

The current wording of Article 27, read together with Article 81, effectively replaces the definition of organic heterogeneous material, the result of a lengthy negotiation process between European institutions with co-decision powers. This amendment and the following ones mirror the content of Article 13 of the Organic Regulation, and of Commission Regulation 2021/1189 so that what has been successfully implemented by stakeholders and competent authorities these last 2 years is not modified again.