



Revision of the plant and forest reproductive material legislation

Advisory Group on the Food Chain
and Animal and Plant Health

6 May 2022

Seeds and propagating material

Estimated annual market value of seed market in EU in 2019: 10 billion EUR



Estimated annual market value of forest reproductive material in EU in 2015: 550 million EUR



Estimated annual market value other PRM in EU in 2015: 4.5 billion EUR

6 Directives on the marketing of seed of agricultural plant species and vegetables

1 Directive on the common catalogue of varieties of agricultural plant species

4 Directives on the marketing of propagating material other than seed (vegetables, fruit plants, vine, ornamental plants)

1 Directive on forest reproductive material



What is it about?



- Ornamental plants
 - Simplified rules
- Forest reproductive material
 - Separate set of rules

Why a revision now?

Plant reproductive material (PRM) legislation:

- Successfully ensured the identity, health and quality of PRM in EU
- Fostered a competitive PRM industry in EU
- Partly dating back to 1960's when productivity was the main priority
- Evaluation of 2008 already identified new challenges
- Proposal for revision rejected by EP in 2014 (while new Plant Health Law and Official Controls Regulation were adopted)
- A number of practical problems identified
- Council request in 2019 for a COM study on options to update the legislation

Related legislation, initiatives and standards

Policy framework

- European Green Deal
- Farm to Fork Strategy
- EU Biodiversity Strategy for 2030
- EU Strategy on adaptation to climate change
- EU Forest Strategy for 2030

Related legislation

- Plant health legislation
- Community Plant Variety Rights
- Organic Regulation
- Official Controls Regulation
- Common agricultural policy

Ongoing initiatives

- Sustainable use of plant protection products
- Framework for a Union sustainable food system
- Plants produced by certain new genomic techniques

International framework

- OECD Seed and Forest Schemes
- International Seed Testing Association Rules
- UPOV International Union protection of new plant varieties
- UNECE Standard for Seed Potatoes
- International Treaty on Plant Genetic Resources
- Convention on Biological Diversity

- Sustainable food systems rely on seed security and diversity
- Need for plant varieties and forest reproductive material
 - adapted to the pressures of climate change
 - with increased pest resistance
 - with reduced reliance on inputs
 - with increased nutritional value
 - inclusion of new plant species
- Need to reverse the decline of genetic diversity
 - conservation and sustainable use of plant and forest genetic resources
- Increased demand for varieties suitable for organic production

Synergies with related initiatives

Alignment with international standards and obligations

Problem 1

Divergent implementation practices and non-level playing field

- Lack of coherence between the 12 Directives
- Lack of flexibility for operators as certain certification procedures must be carried out officially (i.e. not possible under official supervision)
- No harmonised conditions for exemptions
- No harmonised and risk-based framework for official controls
- Not all Directives include dedicated provisions for the registration of conservation varieties

Problem 2

Legislation prevents innovation and use of new technologies and adaptation to policy developments

- Legislation not aligned to European Green Deal and its related strategies, in particular as regards the demand for more sustainable agri-food production
- The legislation hinders the introduction of new/adapted rules on innovative production processes
- Rules too burdensome for some types of varieties (conservation varieties, organic varieties, varieties exclusively marketed to amateur gardeners)

General objectives of the revision

- To remove any obstacle or barrier in the internal market in order to ensure a level playing field for production and marketing of PRM and FRM
- For all types of users a wide diversity of choice of PRM and FRM is ensured
- To support innovation and competitiveness of the EU PRM and FRM industry
 - Improve the efficiency and efficacy of the system
 - Facilitate the uptake of new technologies (new production techniques, BMT, digitalisation)
- To support adaptation to – and mitigation of – climate change, and to contribute to food security, sustainable production and biodiversity protection.

Steps taken until now

- COM study submitted to Council and EP in April 2021
 - pointing to the need of revision
- An inception impact assessment was published for feedback over the period 15 June 2021 - 13 July 2021 (initial collection of evidence)
- Study awarded to ICF to support the impact assessment
- Consultation activities mostly finalised / analysis initiated
 - public consultation (21/12/2021 – 27/03/2022)
 - targeted survey and interviews by ICF (03/03/2022 – 01/04/2022)

Next steps

- SME questionnaire launched (for 8 weeks)
<https://ec.europa.eu/eusurvey/runner/SMEpanel-PRM-FRM>
- Validation questionnaire (June 2022)
- Stakeholders welcome to address COM directly with their concerns and suggestions
- Impact assessment finalised and the Commission's proposals for the revision of the legislation adopted by end 2022.



Temporary derogations for organic varieties

Advisory Group on the Food Chain
and Animal and Plant Health

6 May 2022

Organic varieties

- Temporary derogation for seven years in order to meet the needs of organic producers, to foster research and to develop organic varieties
 - Vegetable species – carrot and kohlrabi
 - Agricultural species – wheat, barley, rye and maize.
- Derogation from uniformity standards to allow a higher level of genetic and phenotypical diversity for agriculture and vegetable species
- Adjusted VCU test for agriculture varieties suitable for organic production



Thank you for your attention!