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COMMISSION IMPLEMENTING DIRECTIVE (EU) 2026/2250

of 12 October 2026

amending Implementing Directive 2014/21/EU as regards the production of pre-basic seed potatoes from true potato seed of seed propagated potato varieties and Annex III to Council Directive 2002/56/EC as regards labelling requirements of seed potatoes

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes ([1]), and in particular Article 18, point (c) and Article 24 thereof,

Whereas:

(1) Council Directive 2002/56/EC sets out the Union rules on the production of seed potatoes. These rules provide for a system of vegetative multiplication of potato tubers over a limited number of generations, the first of which is termed 'pre-basic seed potatoes'.

(2) Recent progress in breeding has allowed the development of potato varieties that can be reproduced by the botanical seed ('seed propagated varieties'). That seed is commonly referred to in scientific and technical bibliography as 'true potato seed'.

(3) The Community Plant Variety Office adopted on 28 November 2023 a revision of its protocol for tests on distinctness, uniformity and stability of varieties of potato (*Solanum tuberosum* L.) ([2]). Following that revision it has become possible to carry out tests with seed potatoes of seed propagated varieties of potato. Therefore, the production of seed potatoes from true potato seed is considered to have become an accepted practice for the maintenance of the variety and of health.

(4) However, commercial cultivation of potato in the Union largely depends on the use of seed potatoes as propagating material, while the direct use of the true potato seed is currently very limited. It is therefore necessary to make available in the market seed potatoes of seed propagated varieties of potato, in order for growers to benefit from the advantages that such varieties can offer.

(5) It is therefore appropriate to introduce requirements for the production of pre-basic seed potatoes of seed propagated varieties of potato from true potato seed.

(6) Commission Implementing Directive 2014/21/EU ([3]) should therefore be amended accordingly.

(7) In order to ensure traceability of the seed potatoes produced from true potato seed and allow users of those seed potatoes to make informed choices, those seed potatoes should be clearly labelled as belonging to seed propagated varieties.

(8) Annex III to Directive 2002/56/EC should therefore be amended accordingly.

(9) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

([1]) OJ L 193, 20.7.2002, p. 60, ELI: http://data.europa.eu/eli/dir/2002/56/oj.
([2]) CPVO-TP/023/4 – Protocol for tests on distinctness, uniformity and stability of varieties of potato (*Solanum tuberosum* L.).
([3]) Commission Implementing Directive 2014/21/EU of 6 February 2014 determining minimum conditions and Union grades for pre-basic seed potatoes (OJ L 38, 7.2.2014, p. 39, ELI: http://data.europa.eu/eli/dir_impl/2014/21/oj).

HAS ADOPTED THIS DIRECTIVE:

Article 1

Amendment of Implementing Directive 2014/21/EU

Implementing Directive 2014/21/EU is amended as follows:

(1) Article 1 is replaced by the following:

'*Article 1*

Definitions

For the purposes of this Directive, the following definitions apply:

(1) 'true potato seed' means seed, in the botanical sense, of *Solanum tuberosum* L.;

(2) 'mother plant' means an identified plant, including a plant grown from true potato seed, from which material is taken for propagation;

(3) 'micro-propagation' means the practice of rapidly multiplying plant material to produce a large number of plants, using culture *in vitro* of differentiated vegetative buds or meristems taken from a plant.'

(2) In Article 2(3), the following fourth subparagraph is added:

'Where mother plants are grown from true potato seed, compliance with point (a) of paragraph 1 shall be established by official testing, or testing under official supervision, of the mother plants.'

(3) In Article 2, the following paragraphs 4 and 5 are added:

'4. Where mother plants are grown from true potato seed, that true potato seed shall be found free from Potato spindle tuber viroid by official testing, or testing under official supervision, on a representative sample and using appropriate methods.

5. Seed potatoes from true potato seed shall only belong to varieties that have been included in the 'Common Catalogue of Varieties of Agricultural Plant Species' referred to in Article 17 of Council Directive 2002/53/EC (*), following their examination as seed propagated varieties according to the CPVO protocol for tests on distinctness, uniformity and stability of varieties of potato (*Solanum tuberosum* L.) (**).

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(*) Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species (OJ L 193, 20.7.2002, p. 1 (ELI: https://eurlex.europa.eu/eli/dir/2002/53/oj).

(**) CPVO-TP/023/4 – Protocol for tests on distinctness, uniformity and stability of varieties of potato (Solanum tuberosum L.).'

Article 2

Amendment of Council Directive 2002/56/EC

Point 5 of Part A of Annex III to Directive 2002/56/EC is replaced by the following:

'5. Variety, indicated at least in roman characters, and, where so applicable, followed by the indication 'true potato seed variety'.'

Article 3

Transposition

1. Member States shall adopt and publish, by 31 December 2027 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall immediately communicate to the Commission the text of those provisions.

Member States shall apply those provisions from 1 January 2028.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 4

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 5

Addressees

This Directive is addressed to the Member States.

Done at Brussels, 12 October 2026.

For the Commission
The President
Ursula VON DER LEYEN