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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	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) - Outcome of the European Parliament's first reading (Strasbourg, 22 to 25 April 2024)

I. INTRODUCTION

The rapporteur, Herbert DORFMANN (EPP, IT), presented a report on the above proposal for a Regulation on behalf of the Committee on Agriculture and Rural Development (AGRI) which contained 315 amendments (amendments 1 to 315) to the proposal.

In addition, The Left group tabled nine amendments (amendments 316 to 324), the Greens/EFA group tabled 11 amendments (amendments 325 to 335), the ECR group tabled eight amendments (amendments 336 to 343), the Renew group tabled nine amendments (amendments 344 to 352), and the EPP group tabled three amendments (amendments 353 to 355).

II. VOTE

When it voted on 24 April 2024, the plenary adopted amendments 1 to 16, 18 to 35, 37 to 61, 63 to 64, 66 to 315, 331, 353 to 355 to the proposal for a Regulation. No other amendments were adopted.

The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto.

ANNEX
(24.4.2024)

P9_TA(2024)0341

Production and marketing of plant reproductive material

European Parliament legislative resolution of 24 April 2024 on the 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) (COM(2023)0414 – C9-0236/2023 – 2023/0227(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2023)0414),

– having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0236/2023),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to the opinion of the European Economic and Social Committee of 13 December 2023[1],

– having regard to Rule 59 of its Rules of Procedure,

– having regard to the opinion of the Committee on the Environment, Public Health and Food Safety,

– having regard to the report of the Committee on Agriculture and Rural Development (A9-0149/2024),

1. Adopts its position at first reading hereinafter set out;

2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

[1] *OJ C, C/2024/1583, 5.3.2024, ELI:* http://data.europa.eu/eli/C/2024/1583/oj.

Amendment 1
Proposal for a regulation
Title 1

Text proposed by the Commission	*Amendment*
Proposal for a	Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	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)	on the production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031 ***and*** (EU) 2017/625 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)

Amendment 2
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 the UN, adopted by the Human Rights Council on 28 September 2018,***

Amendment 3
Proposal for a regulation
Recital 4

Text proposed by the Commission	*Amendment*
(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 Strategy[36], 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 ***aims to 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 ***of high*** quality and diversity of PRM***, including locally adapted varieties that can have the benefit of having a higher tolerance to biotic and abiotic stress,*** appears to be of outmost importance to achieve the transition to sustainable food systems called for in the Farm to Fork Strategy[36], 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).

Amendment 4
Proposal for a regulation
Recital 5

Text proposed by the Commission	*Amendment*
(5) In order to achieve this transition to sustainable food systems, the Union	(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.	legislation should therefore take account of the need to ensure ***at Member State and Union level*** 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 ensure food security*** and to meet increasing farmers' and consumers' expectations related to quality***, safety, diversity*** and sustainability of PRM. ***This Regulation should stimulate innovation for the development of resilient PRM that would contribute to the enhancement of crops that promote soil health.***

Amendment 5
Proposal for a regulation
Recital 12

Text proposed by the Commission	*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. 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.	(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***, 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.

Amendment 6
Proposal for a regulation
Recital 13 a (new)

Text proposed by the Commission	*Amendment*
	(13a) This Regulation should not cover PRM accessed, sold or transferred in any way in limited quantities as defined in Annex VIIa, whether free of charge or not, for the purpose of dynamic conservation as that type of PRM does not require particular harmonised identity or quality standards and does not compromise the identity and quality of other PRM marketed in the Union.

Amendment 7
Proposal for a regulation
Recital 18 a (new)

Text proposed by the Commission	*Amendment*
	(18a) Rules for the in vitro production of clones and their marketing should also be established.

Amendment 8
Proposal for a regulation
Recital 19

Text proposed by the Commission	*Amendment*
(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 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	(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 transparency, informed choices for their users and effective official controls, the ***selected*** clones ***and polyclonal PRM*** 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.***	authorities.

Amendment 9
Proposal for a regulation
Recital 32

Text proposed by the Commission	*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. 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 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.	(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 crucial for crop genetic diversity and essential for adaptation to 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 a ***satisfactory*** level of genetic and phenotypical diversity between individual reproductive units. Those varieties are 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 adapted to local conditions should be included***. 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).

Amendment 10
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 organisations and networks operate in the Union with an objective ***of dynamic conservation***. In order to facilitate their activity, it is appropriate to allow that PRM which is marketed to***, by, between and within*** them, derogates from the established production and marketing requirements, and that instead it complies with less stringent rules.

Amendment 11
Proposal for a regulation
Recital 36

Text proposed by the Commission	*Amendment*
(36) Farmers habitually exchange in kind small quantities of seeds in order to carry out dynamic management of their own ***seed***. It is thus appropriate that a derogation from the established requirements is provided for the exchanges of small quantities of ***seeds*** between farmers. Such derogation could apply if those ***seeds*** do not belong to a variety for which plant variety rights have been granted in accordance with Council	(36) Farmers habitually exchange in kind ***or for monetary compensation*** small quantities of seeds in order to carry out dynamic management of their own ***PRM***. It is thus appropriate that a derogation from the established requirements is provided for the exchanges of small quantities of ***PRM*** between farmers***, with maximum quantities to be set at Union level***. Such derogation could apply if those ***PRM*** do not belong to a variety for which

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***.

plant variety rights have been granted in accordance with Council Regulation (EU) 2100/94([41]). ***The power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of supplementing this Regulation***, in order to ***set up, for each species, the maximum quantity which may be exchanged***.

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

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[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 12
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.

Amendment 13
Proposal for a regulation
Recital 38 a (new)

Text proposed by the Commission	*Amendment*
	(38a) Heterogeneous material should not consist of a GMO or a category 1 or category 2 NGT plant as defined in Regulation (EU) .../... [NGT Regulation].

Amendment 14
Proposal for a regulation
Recital 42

Text proposed by the Commission	*Amendment*
(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.	(42) Specific ***proportionate*** 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-enterprises should be taken into consideration.***

Amendment 15
Proposal for a regulation
Recital 48

Text proposed by the Commission	*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	(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 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.

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 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.

Amendment 16
Proposal for a regulation
Recital 49

Text proposed by the Commission	*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	(49) In order to contribute to the sustainability of agricultural production and serve economic, environmental and broader societal needs, new varieties should show an improvement compared

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.	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 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') ***or characteristics important for processing***. 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 that examination, for species listed in Parts B and C of Annex I it should be performed in a voluntary way.***

Amendment 18
Proposal for a regulation
Recital 57

Text proposed by the Commission	*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	(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.	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 ***and for conservation varieties***, due to the longer time required for the completion of the productive cycle of those genera or species.

Amendment 19
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***

Amendment 20
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	(85) ***The power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to*** the Commission ***in respect of supplementing this Regulation***

experiments to seek improved alternatives to the scope and certain provisions of this Regulation.	***by specific rules*** on the organisation of temporary experiments to seek improved alternatives to the scope and certain provisions of this Regulation.

Amendment 21
Proposal for a regulation
Article 1 – paragraph 1

Text proposed by the Commission	*Amendment*
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 sites, categories of material, ***identy*** and quality requirements, certification, labelling, packaging, imports, professional operators and the registration of varieties.	This Regulation lays down rules for the production ***with a view to*** marketing in the Union of plant reproductive material ('PRM')***, and for the marketing in the Union of PRM***, and in particular requirements for the production of PRM in the field and other sites, categories of material, ***identity*** and quality requirements, certification, labelling, packaging, imports, professional operators and the registration of varieties.

Amendment 22
Proposal for a regulation
Article 1 – paragraph 2

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

Amendment 23
Proposal for a regulation
Article 2 – paragraph 1 – subparagraph 3

Text proposed by the Commission	*Amendment*
The requirements concerning production of PRM shall apply only ***to production*** with a view to its marketing.	The requirements concerning production ***or imports*** of PRM shall apply only with a view to its marketing ***within the Union***.

Amendment 24
Proposal for a regulation
Article 2 – paragraph 2 – point a

Text proposed by the Commission	*Amendment*
(a) to ensure quality and diversity of choice for PRM, and its availability for professional operators and final users;	(a) to ensure quality***, safety*** and diversity of choice for PRM, and its availability for professional operators***, farmers*** and final users;

Amendment 25
Proposal for a regulation
Article 2 – paragraph 2 – point b

Text proposed by the Commission	*Amendment*
(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;	(b) to ensure ***fair*** conditions for the competition of the professional operators across the Union and the functioning of the internal market in PRM;

Amendment 26
Proposal for a regulation
Article 2 – paragraph 2 – point d

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

Amendment 27
Proposal for a regulation
Article 2 – paragraph 2 – point e

Text proposed by the Commission	*Amendment*
(e) to contribute to sustainable agricultural production, adapted to current and future projected climatic conditions;	(e) to contribute to sustainable agricultural production, adapted to current and future projected climatic ***and soil*** conditions;

Amendment 28
Proposal for a regulation
Article 2 – paragraph 2 – point f

Text proposed by the Commission	*Amendment*
(f) to contribute to food security	(f) to contribute to food security ***and food sovereignty.***

Amendment 29
Proposal for a regulation
Article 2 – paragraph 3 – subparagraph 1

Text proposed by the Commission	*Amendment*
The Commission is empowered in accordance with Article 75 to adopt delegated acts, ***amend*** Annex I, in order to adapt ***it*** to the developments of technical and scientific knowledge, and the	The Commission is empowered in accordance with Article 75 to adopt delegated acts, ***amending*** Annex I, in order to adapt ***that Annex*** to the developments of technical and scientific

economic data concerning production and marketing of genera and species, by adding genera and species to or removing them from the list that Annex.	knowledge, and the economic data concerning production and marketing of genera and species, by adding genera and species to or removing them from the list ***in*** that Annex.

Amendment 30
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 ***acts*** 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 31
Proposal for a regulation
Article 2 – paragraph 3 – subparagraph 2 – point c a (new)

Text proposed by the Commission	*Amendment*
	(ca) present an interest in terms of environmental sustainability.

Amendment 32
Proposal for a regulation
Article 2 – paragraph 4 – point a

Text proposed by the Commission	*Amendment*
(a) propagating material of ornamental plants as defined in Article 2 of Directive 98/56/EC;	(a) propagating material of ornamental plants as defined in Article 2 of Directive 98/56/EC***, and propagating material of genera or species listed in Annex I to this Regulation which are exclusively used for***

ornamental purposes;

Amendment 33
Proposal for a regulation
Article 2 – paragraph 4 – point b

Text proposed by the Commission	*Amendment*
(b) forest reproductive material as defined in Article 3 of Regulation (EU) .../… of the European Parliament and of the Council[47] [+];	(b) forest reproductive material as defined in Article 3 of Regulation (EU) .../… of the European Parliament and of the Council[47+] ***and propagating material of genera or species listed in Annex I to this Regulation which are exclusively used for forestry purposes***;
_____	_____
[47] Regulation (EU) .../… of the European Parliament and of the Council …. (OJ…., p….).	[47] Regulation (EU) .../… of the European Parliament and of the Council …. (OJ…., p….)..
[+] OJ: Please insert in the text the number of the Regulation contained in document (… (COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.	[+] OJ: Please insert in the text the number of the Regulation contained in document (… (COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

Amendment 34
Proposal for a regulation
Article 2 – paragraph 4 – point c

Text proposed by the Commission	*Amendment*
(c) PRM produced for export to third countries;	(c) PRM produced ***solely*** for export to third countries;

Amendment 35
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 and activities carried out by gene banks;***

Amendment 353
Proposal for a regulation
Article 2 – paragraph 4 – point e a (new)

Text proposed by the Commission	*Amendment*
	(ea) the production and marketing of PRM by conservation organisations and networks referred to in Article 29 in small quantities as defined in Annex VIIa, whether free of charge or not, for the purpose of dynamic conservation;

Amendment 37
Proposal for a regulation
Article 2 – paragraph 4 – point e b (new)

Text proposed by the Commission	*Amendment*
	(eb) PRM produced by farmers for their own use.

Amendment 38
Proposal for a regulation
Article 3 – paragraph 1 – point 2 – introductory part

Text proposed by the Commission	*Amendment*
(2) 'professional operator' means any natural or legal person, involved	(2) 'professional operator' means any natural or legal person, involved

professionally in one or more of the following activities in the Union concerning PRM:	professionally in one or more of the following activities in the Union concerning ***the commercial exploitation of*** PRM:

Amendment 39
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;

Amendment 40
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 ***commercial*** actions conducted by a professional operator: sale, holding, or offering for sale***, including online sale,*** or any other way of transferring or distribution within, or import into, the Union ***aimed at the commercial exploitation of the PRM;***

Amendment 41
Proposal for a regulation
Article 3 – paragraph 1 – point 5

Text proposed by the Commission	*Amendment*
(5) 'clone' means an individual plant progeny, originally derived from another single plant by vegetative reproduction,	(5) 'clone' means***:***

remaining genetically identical to that plant;	
	(a) an individual plant progeny, originally derived from another single plant by vegetative reproduction, remaining genetically identical to that plant; ***or***
	(b) the vegetative genetically uniform progeny of a single plant;

Amendment 42
Proposal for a regulation
Article 3 – paragraph 1 – point 6

Text proposed by the Commission	*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***;***	(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 ***of vines and those species of fruit trees in which such intravarietal variability has occured,*** to which ***the*** selected ***clone*** belongs***;***

Amendment 43
Proposal for a regulation
Article 3 – paragraph 1 – point 7

Text proposed by the Commission	*Amendment*
(7) 'polyclonal plant reproductive material' means a group of ***several distinct individual plant progenies derived from different*** genotypes***, each of which is true to the description of the*** variety ***to which it belongs***;	(7) 'polyclonal plant reproductive material' means ***propagating material obtained from a selection of*** a group of ***at least seven*** genotypes ***with the prediction of genetic gains, made through quantitative genetic tools, from the same experimental set of a specific ancient*** variety***, containing most of its intra-varietal diversity***;

Amendment 44
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***

Amendment 45
Proposal for a regulation
Article 3 – paragraph 1 – point 12

Text proposed by the Commission	*Amendment*
(12) 'variety maintenance' means the actions taken for controlling varietal purity and identity with the aim to ensure that ***a*** variety ***remains in accordance with its*** description over subsequent cycles of reproduction;	(12) 'variety maintenance' means the actions taken for controlling varietal purity and identity with the aim to ensure that ***the*** variety ***characteristics remain true to their*** description over subsequent cycles of reproduction;

Amendment 46
Proposal for a regulation
Article 3 – paragraph 1 – point 14

Text proposed by the Commission	*Amendment*
(14) 'pre-basic seed' means seed that belongs to a generation preceeding the generation of the basic seed, is intended for the production and certification of basic or certified seed, and has been found	(14) 'pre-basic seed' means seed that belongs to a generation preceeding the generation of the basic seed, is intended for the production and certification of basic or certified seed, and has been found

by means of official certification, or certification under official supervision, to satisfy the respective conditions laid down in ***Part*** A of Annex II;	by means of official certification, or certification under official supervision, to satisfy the respective conditions laid down in ***Parts*** A ***and D*** of Annex II;

Amendment 47
Proposal for a regulation
Article 3 – paragraph 1 – point 15

Text proposed by the Commission	*Amendment*
(15) 'basic seed' means seed that has been produced from pre-basic seed or preceding generations of basic seed, is intended for the production of further generations of basic seed or certified seed, and which has been found by means of official certification, or certification under official supervision, to satisfy the respective conditions laid down in ***Part*** A of Annex II;	(15) 'basic seed' means seed that has been produced from pre-basic seed or preceding generations of basic seed, is intended for the production of further generations of basic seed or certified seed, and which has been found by means of official certification, or certification under official supervision, to satisfy the respective conditions laid down in ***Parts*** A ***and D*** of Annex II;

Amendment 48
Proposal for a regulation
Article 3 – paragraph 1 – point 16

Text proposed by the Commission	*Amendment*
(16) 'certified seed' means seed that has been produced from pre-basic, basic or preceding generations of certified seed, and which has been found by means of official certification, or certification under official supervision, to satisfy the respective conditions laid down in ***Part*** A of Annex II;	(16) 'certified seed' means seed that has been produced from pre-basic, basic or preceding generations of certified seed, and which has been found by means of official certification, or certification under official supervision, to satisfy the respective conditions laid down in ***Parts*** A ***and D*** of Annex II;

Amendment 49
Proposal for a regulation
Article 3 – paragraph 1 – point 17

Text proposed by the Commission	*Amendment*
(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;	(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 ***Parts*** A ***and D*** of Annex III;

Amendment 50
Proposal for a regulation
Article 3 – paragraph 1 – point 18

Text proposed by the Commission	*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*** of Annex II;	(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 ***Parts B, C and E*** of Annex II;

Amendment 51
Proposal for a regulation
Article 3 – paragraph 1 – point 19

Text proposed by the Commission	*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	(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;	means of official certification or certification under official supervision to satisfy the respective conditions laid down in ***Parts B, C and E*** of Annex II;

Amendment 52
Proposal for a regulation
Article 3 – paragraph 1 – point 20

Text proposed by the Commission	*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;	(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 ***Parts B, C and E*** of Annex II;

Amendment 53
Proposal for a regulation
Article 3 – paragraph 1 – point 21

Text proposed by the Commission	*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*** of Annex III;	(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 ***Parts B, C and E*** of Annex III;

Amendment 54
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 purposes which are outside that person's professional activities;	(28) 'final user' means any person acquiring, transferring and using PRM for purposes which are outside that person's ***primary*** professional activities;

Amendment 55
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) ***either a*** traditionally grown ***landrace or a*** newly bred ***variety (modern landrace) derived from on-farm selection or bred for adaptation to*** local conditions in the ***context of the sustainable use of plant genetic resources for food and agriculture;***

Amendment 56
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;

Amendment 57
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	(b) characterised by a ***satisfactory*** level

genetic and phenotypical diversity between individual reproductive units;	of genetic and phenotypical diversity between individual reproductive units;

Amendment 58
Proposal for a regulation
Article 3 – paragraph 1 – point 29 – point b a (new)

Text proposed by the Commission	*Amendment*
	(ba) not subject, as a whole or in genetic components, to intellectual property rights that limit its use for conservation, research, breeding, education, including on farm by a farmer who uses the PRM grown on the farm, of that variety for those objectives;

Amendment 59
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 unacceptable impact on the quality of the PRM, and an unacceptable economic impact as regards the use of that PRM in the Union;

Amendment 60
Proposal for a regulation
Article 3 – paragraph 1 – point 31

Text proposed by the Commission	*Amendment*
(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	(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

do not affect ***adversely*** the quality of that PRM;	***excessively*** the quality of that PRM;

Amendment 61
Proposal for a regulation
Article 3 – paragraph 1 – point 32

Text proposed by the Commission	*Amendment*
(32) 'seed potatoes' means tubers of Solanum tuberosum L., used for the reproduction of ***other*** potatoes;	(32) 'seed potatoes' means tubers of Solanum tuberosum L., used for the reproduction of potatoes;

Amendment 354
Proposal for a regulation
Article 3 – paragraph 1 – point 35 a (new)

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

Amendment 63
Proposal for a regulation
Article 3 – paragraph 1 – point 35 b (new)

Text proposed by the Commission	*Amendment*
	(35b) 'NGT plant' means plants obtained by certain new genomic techniques as

defined in Article 3, point 2 of Regulation (EU) .../... [OJ, 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;

Amendment 64
Proposal for a regulation
Article 3 – paragraph 1 – point 35 c (new)

Text proposed by the Commission	*Amendment*
	(35c) 'commercial seed' means seed produced and marketed for mixtures referred to in Article 21 which is identifiable as belonging to a species, but not a variety, and which has been found by official certification or by certification carried out under official supervision to satisfy the conditions set out in this Regulation for certified seed with the exception of the requirement in Article 5;

Amendment 355
Proposal for a regulation
Article 3 – paragraph 1 – point 35 d (new)

Text proposed by the Commission	*Amendment*
	(35d) 'small packages' means packages containing seed or material up to a maximum of:
	(a) 10 kg for cereals;
	(b) 5 kg for fodder plants, beet, oil and fibre plants;
	(c) 10 kg for seed potatoes;
	(d) 500 g for legumes;
	(e) 100 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, corn salad or lamb's lettuce;
	(f) 20 g for other species of vegetables;
	(g) 10 individuals for fruit and vine cuttings.

Amendment 66
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 ***PRM*** exchanged between farmers in accordance with Article 30;

Amendment 67
Proposal for a regulation
Article 5 – paragraph 1 – point f

Text proposed by the Commission	*Amendment*
(f) as breeder's seed, in accordance with Article 31;	***deleted***

Amendment 68
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;

Amendment 69
Proposal for a regulation
Article 6 – paragraph 2 – point e

Text proposed by the Commission	*Amendment*
(e) breeder's seed as referred to in Article 31.	***deleted***

Amendment 70
Proposal for a regulation
Article 7 – paragraph 1 – point b – point ii

Text proposed by the Commission	*Amendment*
(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).	(ii) in accordance with the requirements set out in ***Parts A and D*** of Annex II, and its compliance with those requirements is attested by the official label referred to in Article 15(1).

Amendment 71
Proposal for a regulation
Article 7 – paragraph 2 – point b – point ii

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

Amendment 72
Proposal for a regulation
Article 7 – paragraph 3 – introductory part

Text proposed by the Commission	*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 ***may*** concern the requirements for the following:	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 only*** concern the requirements for the following:

Amendment 73
Proposal for a regulation
Article 7 – paragraph 3 – point g

Text proposed by the Commission	*Amendment*
(g) pre-basic, basic and certified material of ***clones,*** selected clones***, multiclonal mixtures and polyclonal PRM***;	(g) ***production and marketing of*** pre-basic, basic and certified material of selected clones;

Amendment 74
Proposal for a regulation
Article 7 – paragraph 4 – subparagraph 1 – introductory part

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 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	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

Amendment 75
Proposal for a regulation
Article 7 – paragraph 4 – subparagraph 1 – point f

Text proposed by the Commission	*Amendment*
(***c***) 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, moisture, presence of earth or extraneous matter;

Amendment 76
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 ***relevent*** international technical and scientific standards.	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 ***and taking into account the possible implications for PRM production and availability and for small operators***. ***Those implementing acts shall be proportionate to the category of PRM.***

Amendment 77
Proposal for a regulation
Article 8 – paragraph 1 – point b – point ii

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

Amendment 78
Proposal for a regulation
Article 8 – paragraph 2 – point b – point ii

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

Amendment 79
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***

Amendment 80
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 of*** polyclonal PRM of standard material;

Amendment 81
Proposal for a regulation
Article 8 – paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	4a. Before adopting the delegated acts referred to in paragraph 4, concerning the requirements referred to in points (a) to (i) thereof, the Commission shall assess the implementation of those requirements, taking into account the possible implications for PRM production and availability and for small operators. Those delegated acts shall be proportionate to the category of PRM.

Amendment 82
Proposal for a regulation
Article 8 – paragraph 5 – subparagraph 1 – introductory part

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:	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:

Amendment 83
Proposal for a regulation
Article 8 – paragraph 5 – 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, moisture, presence of earth or extraneous matter;

Amendment 84
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;

Amendment 85
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 ***relevent*** international technical and scientific standards.	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 ***and taking into account the possible implications for PRM production and availability and for small operators***. ***Those implementing acts shall be proportionate to the category of PRM.***

Amendment 86
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

Amendment 87
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 ***and*** certified ***material of selected clones*** and standard material of 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 88
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 PRM*** established by a Member State.

Amendment 89
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 selected clone and polyclonal PRM, as set out in ***Article 53a***.

2.

Amendment 90
Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission	*Amendment*
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.	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 91
Proposal for a regulation
Article 9 – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. Polyclonal PRM, registered in the register referred to in paragraph 2 of this Article, shall be produced and marketed only if it complies with all the requirements concerning standard material as referred to in Part C of Annex III. Polyclonal PRM shall be accompanied by a professional operator's label with the indication 'Polyclonal material', in accordance with Article 17.

Amendment 92
Proposal for a regulation
Article 10 – paragraph 1 – subparagraph 1

Text proposed by the Commission	*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.	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 ***print*** an official label for them.

Amendment 93
Proposal for a regulation
Article 10 – paragraph 1 – subparagraph 2 – point c

Text proposed by the Commission	*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;	(c) employ qualified personnel for carrying out the sampling referred to in Annex II, or conclude contracts with companies ***or associations of professional operators*** employing qualified personnel for those activities;

Amendment 94
Proposal for a regulation
Article 10 – paragraph 1 – subparagraph 2 – point d

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

Amendment 95
Proposal for a regulation
Article 10 – paragraph 2 – introductory part

Text proposed by the Commission	*Amendment*
2. The Commission is empowered to adopt delegated acts in accordance with Article 75, supplementing paragraph 1 as regards ***one or more of the following elements:***	2. The Commission is empowered to adopt delegated acts in accordance with Article 75, supplementing paragraph 1 as regards

Amendment 96
Proposal for a regulation
Article 10 – paragraph 2 – point a

Text proposed by the Commission	*Amendment*
(a) procedure for the application submitted by the professional operator;	***deleted***

Amendment 97
Proposal for a regulation
Article 10 – paragraph 2 – point b

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

Amendment 98
Proposal for a regulation
Article 12 – paragraph 1 – subparagraph 1

Text proposed by the Commission	*Amendment*
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).	For the purposes of the certification under official supervision, the competent authorities shall ***conduct regular audits***, at least once ***every 18 months,*** to ensure that the professional operator fulfils the requirements referred to in Article 10(1).

Amendment 99
Proposal for a regulation
Article 12 – paragraph 3 – subparagraph 1

Text proposed by the Commission	*Amendment*
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.	The Commission ***is empowered to adopt delegated acts in accordance with Article 75, supplementing this Regulation by specifying*** 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 100
Proposal for a regulation
Article 12 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission	*Amendment*
Those ***implementing*** acts may specify one or more of the following elements:	Those ***delegated*** acts may specify one or more of the following elements:

Amendment 101
Proposal for a regulation
Article 12 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission	*Amendment*
(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.	(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***, as referred to in paragraph 2***.

Amendment 102
Proposal for a regulation
Article 12 – paragraph 3 – subparagraph 3

Text proposed by the Commission	*Amendment*
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).	***deleted***

Amendment 103
Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission	*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.	1. PRM shall be marketed in lots. The content of the varieties and species of each lot shall be ***homogeneously mixed*** and identifiable by its users as distinct from other lots of PRM.

Amendment 104
Proposal for a regulation
Article 13 – paragraph 2 – subparagraph 1

Text proposed by the Commission	*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***.	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.

Amendment 105
Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission	*Amendment*
1. PRM shall be marketed in fastened packages, bundles or containers, bearing a sealing device and marking. In the case of PRM other than seeds, it may also be marketed in the form of individual plants.	1. PRM shall be marketed in fastened packages, bundles or containers, bearing a sealing device and marking. In the case of PRM other than seeds ***and seed potatoes***, it may also be marketed in the form of individual plants.

Amendment 106
Proposal for a regulation
Article 14 – paragraph 4

Text proposed by the Commission	*Amendment*
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.	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.

Amendment 107
Proposal for a regulation
Article 14 – paragraph 5 – subparagraph 1

Text proposed by the Commission	*Amendment*
By way of derogation from paragraph 1, seeds may be marketed from a professional operator directly to a farmer in bulk.	By way of derogation from paragraph 1, seeds ***and seed potatoes*** may be marketed from a professional operator directly to a farmer in bulk.

Amendment 108
Proposal for a regulation
Article 14 – paragraph 5 – subparagraph 2

Text proposed by the Commission	*Amendment*
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.	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 ***and seed potato*** comes.

Amendment 109
Proposal for a regulation
Article 14 – paragraph 5 – subparagraph 3

Text proposed by the Commission	*Amendment*
Where seed is 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.	Where seed ***and seed potato*** is loaded directly into the farmer's machinery or trailer, the professional operator and the farmer concerned shall ensure traceability of that seed ***and seed potato*** by issuing and retaining documents indicating the species and variety, quantity, the time of transfer and lot identification.

Amendment 110
Proposal for a regulation
Article 14 – paragraph 5 a (new)

Text proposed by the Commission	*Amendment*
	5a. The competent authority or the professional operator shall keep a record of the following:
	(a) authorisation, purchase, load and transport of the PRM; and
	(b) quality, identification and traceability of the PRM.

Amendment 111
Proposal for a regulation
Article 14 – paragraph 6

Text proposed by the Commission	*Amendment*
6. The Commission may, by means of implementing acts, adopt specific requirements concerning sealing, fastening, size and form of packages, bundles and containers of specific species of PRM, and specify conditions for the marketing of seeds in bulk. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).	6. The Commission may, by means of implementing acts, adopt specific requirements concerning sealing, fastening, size and form of packages, bundles and containers of specific species of PRM, and specify conditions for the marketing of seeds ***and seed potato*** in bulk. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).

Amendment 112
Proposal for a regulation
Article 15 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission	*Amendment*
(a) the competent authority, if so requested by the professional operator, or if the professional operator is not	(a) the competent authority***, that issued the official label***, if so requested by the professional operator, or if the

authorised to carry out certification under official supervision, by the competent authority in accordance with Article 10; or	professional operator is not authorised to carry out certification under official supervision, by the competent authority in accordance with Article 10; or

Amendment 113
Proposal for a regulation
Article 15 – paragraph 2 – subparagraph 2 – point b

Text proposed by the Commission	*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.	(b) the professional operator ***or associations of professional operators***, 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.

Amendment 114
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 ***of this Article***, pre-basic, 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.

Amendment 115
Proposal for a regulation
Article 16 – paragraph 2

Text proposed by the Commission	*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 ***opeartor,*** on the ***outside of a*** bundle, package or container.	The operator's label shall be issued, printed and affixed ***on the outside of a plant bundle, package or container*** by the professional operator, or by a person acting under the responsibility of the professional ***operator. The information to be included*** on the ***professional operator's label may also be printed directly on the plant*** bundle, package or container ***by the professional operator, or by a person acting under the responsibility of the professional operator***.

Amendment 116
Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission	*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.	2. The official label and the operator's label shall be legible, indelible, not modifiable if tampered with, printed on one side, ***made of untearable material unless it is an adhesive label,*** not having been used previously, and easily visible. ***It shall include, where applicable, a reference to the plant variety right and a reference to the register referred to in Article 46 in the case of further intellectual property rights.***

Amendment 117
Proposal for a regulation
Article 17 – paragraph 3

Text proposed by the Commission	*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 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 ...). .	3. Any space of the official label or the operator's label apart from the elements mentioned in paragraph 4, ***shall, where relevant,*** 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 118
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***

Amendment 119
Proposal for a regulation
Article 17 – paragraph 4 – subparagraph 1 – point i

Text proposed by the Commission	*Amendment*
(i) the label for breeder's material referred to in Article 31(2);	***deleted***

Amendment 120
Proposal for a regulation
Article 17 – paragraph 4 – subparagraph 1 – point n a (new)

Text proposed by the Commission	*Amendment*
	(na) the label for polyclonal material referred to in Article 9(4).

Amendment 121
Proposal for a regulation
Article 19 – paragraph 1 – introductory part

Text proposed by the Commission	*Amendment*
In the case where official controls carried out during the marketing of PRM show that ***pre-basic, basic, certified seeds or material, or standard seeds or material, have*** not been produced or marketed within the Union in compliance with the respective requirements ***referred to in Articles 7 or 8, or in the case where the varietal identity and purity of the PRM were not confirmed in the control plot testing in accordance with Article 24***, the competent authorities shall ensure that the professional operator concerned takes the necessary corrective actions concerning the PRM ***concerned and*** its premises and production methods, as appropriate. Those actions shall aim at achieving one or more of the following	In the case where official controls carried out during the marketing of PRM show that ***it has*** not been produced or marketed within the Union in compliance with the respective requirements ***applicable to that PRM***, the competent authorities shall ensure that the professional operator concerned takes the necessary corrective actions concerning the PRM***,*** its premises and production methods, as appropriate. Those actions shall aim at achieving one or more of the following elements:

elements:

Amendment 122
Proposal for a regulation
Article 19 – paragraph 1 – point c

Text proposed by the Commission	*Amendment*
(c) with the exception of standard seed or standard material, the PRM concerned is ***produced or*** marketed under a lower category, in accordance with the requirements applicable for that category;	(c) with the exception of standard seed or standard material, ***heterogeneous seed or heterogeneous material and PRM marketed under the derogations provided for in Articles 27 to 30,*** the PRM concerned is marketed under a lower category, in accordance with the requirements applicable for that category;

Amendment 123
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) ***where applicable,*** the professional operator ***may be*** sanctioned by additional means to the withdrawal or modification of the authorisation referred to in Article 11.

Amendment 124
Proposal for a regulation
Article 20 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. Upon application by a Member State, the Commission may, by means of implementing acts, authorise a Member

State to be released from the obligation to apply the provisions laid down in this Article for the production and marketing of PRM within its territory, specifically pertaining to a genus or species listed in Annex IV, which is not normally reproduced or marketed within its territory. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).

The authorisation referred to in the first subparagraph of this paragraph shall be based on an assessment of the conditions laid down in paragraph 2, second subparagraph, points (a) and (b).

The authorisation referred to in the first subparagraph of this paragraph shall be subject to regular review. The Commission may decide, by means of implementing acts, that the authorisation is to be repealed, if it considers that it is no longer justified in view of the conditions referred to in paragraph 2, second subparagraph, points (a) and (b). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).

Amendment 125
Proposal for a regulation
Article 21 – paragraph 1 – subparagraph 1

Text proposed by the Commission	*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, 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.	Mixtures of certified seed or mixtures of standard seed of various genera or species listed in ***Parts*** A ***and B*** of Annex I and complying with the requirements of Articles 5 to 8, ***whether or not in combination with commercial seed,*** as well as of different varieties of those genera or species, may be produced and

	marketed in the Union, if they ***fulfil*** the requirements of this Article.

Amendment 126
Proposal for a regulation
Article 21 – paragraph 1 – subparagraph 2 – point b

Text proposed by the Commission	*Amendment*
(b) an operator's label, in ***the case where the mixture consists only of standard seed, or of certified and standard seed***.	(b) an operator's label, in ***all other cases***.

Amendment 127
Proposal for a regulation
Article 21 – paragraph 1 – subparagraph 3

Text proposed by the Commission	*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 their ratios, for verification of eligibility of those varieties.	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.

Amendment 128
Proposal for a regulation
Article 22 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission	*Amendment*
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	By way of derogation from ***Articles 5 to 8 and*** Article 21(1), Member States may authorise the production and marketing of a mixture of seeds of various genera or

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:	species listed in ***Parts A, B and C*** of Annex I, ***and*** genera or species of other Parts of that Annex, or of genera or species not listed in that Annex, if such ***mixtures fulfil*** all of the following conditions:

Amendment 129
Proposal for a regulation
Article 22 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission	*Amendment*
(a) ***it contributes*** to the conservation of genetic resources, or the restoration of the natural environment; and	(a) ***they contribute*** to the conservation of genetic resources, or the restoration of the natural environment; and

Amendment 130
Proposal for a regulation
Article 22 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission	*Amendment*
(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;	(b) ***they are*** naturally associated with a particular area (‘***region of origin***’) contributing to the conservation of genetic resources or the restoration of the natural environment;

Amendment 131
Proposal for a regulation
Article 22 – paragraph 1 – subparagraph 1 – point c

Text proposed by the Commission	*Amendment*
(c) ***it complies*** with the requirements of	(c) ***they comply*** with the requirements

Annex V.	of Annex V.

Amendment 132
Proposal for a regulation
Article 22 – paragraph 1 – subparagraph 1 – point c a (new)

Text proposed by the Commission	*Amendment*
	(ca) they do not consist of a GMO or a category 1 NGT plant as defined in Article 3(7) of Regulation (EU) …/… [NGT Regulation] or of a category 1 or 2 NGT plant as defined in Article 3(8) of Regulation (EU) …/… [NGT Regulation].

Amendment 133
Proposal for a regulation
Article 22 – paragraph 1 – subparagraph 2

Text proposed by the Commission	*Amendment*
Such ***mixture constitutes a*** 'preservation ***mixture***' and this shall be mentioned on ***its*** label.	Such ***mixtures constitute*** 'preservation ***mixtures***' and this shall be mentioned on ***their*** label.

Amendment 134
Proposal for a regulation
Article 22 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission	*Amendment*
(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);	(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);

Amendment 135
Proposal for a regulation
Article 22 – paragraph 2 – subparagraph 2

Text proposed by the Commission	*Amendment*
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.	Those ***delegated acts*** 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.

Amendment 136
Proposal for a regulation
Article 23 – title

Text proposed by the Commission	*Amendment*
Re-packaging and re-labelling of ***seed*** lots	Re-packaging and re-labelling of ***PRM*** lots

Amendment 137
Proposal for a regulation
Article 23 – paragraph 1

Text proposed by the Commission	*Amendment*
1. ***Seed*** lots of pre-basic, basic and certified seed shall be repackaged and relabeled in accordance with this Article, Articles 14 and 15, where this is necessary for splitting or merging of lots.	1. ***PRM*** lots of pre-basic, basic and certified seed shall be repackaged and relabeled in accordance with this Article, Articles 14 and 15, where this is necessary for splitting or merging of lots.

Amendment 138
Proposal for a regulation
Article 23 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission	*Amendment*
The re-packaging and re-labelling of a ***seed*** lot shall be conducted by:	The re-packaging and re-labelling of a ***PRM*** lot shall be conducted by:

Amendment 139
Proposal for a regulation
Article 25 – paragraph 1

Text proposed by the Commission	*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 ***respective varietal identity and varietal purity*** requirements***, and with other requirements***, as appropriate.	1. After the marketing of standard seeds, the competent authorities shall***, if indicated by the risk analysis,*** carry out control plot tests to check whether the seeds comply with the requirements ***set out in Article 8 and in Annex III***, as appropriate.

Amendment 140
Proposal for a regulation
Article 25 – paragraph 2

Text proposed by the Commission	*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.	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 a 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.***

Amendment 141
Proposal for a regulation
Article 26 – paragraph 1

Text proposed by the Commission	*Amendment*
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.	1. By way of derogation from Article 20, PRM ***of genera and species listed in Annex IV 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.

Amendment 142
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***.	3. A professional operator who uses this derogation shall annually notify to the competent authority this activity.

Amendment 143
Proposal for a regulation
Article 27 – paragraph 1

Text proposed by the Commission	*Amendment*
1. By way of derogation from Article 5,	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.	PRM of heterogeneous material***, with the exclusion of the production and marketing of fodder plants listed in Annex I,*** may be produced and marketed within the Union without belonging to a variety. ***PRM of*** heterogeneous material shall be notified to and ***registered*** by the competent authority prior to its production and/or marketing, in accordance with the requirements set out in Annex VI.

Amendment 144
Proposal for a regulation
Article 27 – paragraph 2

Text proposed by the Commission	*Amendment*
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.	2. By way of derogation from ***Article 7, Article 8, Article 13(2) and (5) and Articles 18 and 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.

Amendment 145
Proposal for a regulation
Article 27 – paragraph 3 – subparagraph 1 – point c

Text proposed by the Commission	*Amendment*
(c) improve the rules on ***maitenance*** of heterogenous PRM, on the basis of the emergence of best practices.	(c) improve the rules on ***maintenance*** of heterogenous PRM***, where applicable***, on the basis of the emergence of best practices.

Amendment 146
Proposal for a regulation
Article 27 – paragraph 4

Text proposed by the Commission	*Amendment*
4. Any professional operator producing and/or intending to market PRM of heterogeneous material shall submit a notification to the competent authority prior to marketing. If no further information is requested by the national competent authority within ***a time determined*** by the competent authority, the PRM of heterogeneous material may be marketed.	4. Any professional operator producing and/or intending to market PRM of heterogeneous material shall submit a notification to the competent authority prior to marketing. If no further information is requested by the national competent authority within ***three months*** by the competent authority, the PRM of heterogeneous material may be marketed.

Amendment 147
Proposal for a regulation
Article 27 – paragraph 5 – subparagraph 3 – point d

Text proposed by the Commission	*Amendment*
(d) the breeding location of the PRM of heterogeneous material ***and production location***;	(d) the breeding ***or production*** location of the PRM of heterogeneous material;

Amendment 148
Proposal for a regulation
Article 27 – paragraph 5 – subparagraph 4

Text proposed by the Commission	*Amendment*
The competent authorities shall have access to the information referred to in this paragraph.	The competent authorities shall have access to the information referred to in this paragraph***, in the context of post-marketing controls***.

Amendment 149
Proposal for a regulation
Article 27 – paragraph 7 – subparagraph 1

Text proposed by the Commission	*Amendment*
Heterogeneous material as notified pursuant to paragraph 1, shall be registered by the competent authorities in a dedicated register ('heterogeneous material register').	Heterogeneous material as notified pursuant to paragraph 1, shall be registered by the competent authorities in a dedicated register ('heterogeneous material register'). ***The registration shall be free of charge to the professional operator.***

Amendment 150
Proposal for a regulation
Article 27 – paragraph 7 – subparagraph 2

Text proposed by the Commission	*Amendment*
The competent authorities shall keep, update and publish that register, and notify immediately its content and updates to the Commission.	The competent authorities shall keep, update and publish that register, ***make it accessible online*** and notify immediately its content and updates to the Commission.

Amendment 151
Proposal for a regulation
Article 28 – paragraph 1 – subparagraph 2

Text proposed by the Commission	*Amendment*
A professional operator who uses this derogation shall annually notify this activity to the competent authority***, with regard to the species and quantities concerned***	A professional operator who uses this derogation shall annually notify this activity to the competent authority***.***

Amendment 152
Proposal for a regulation
Article 28 – paragraph 2

Text proposed by the Commission	*Amendment*
2. The Commission shall, by means of implementing acts, adopt rules concerning the size, form, sealing and handling requirements concerning the small packages referred to in paragraph 1 point (d).	***deleted***
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).	

Amendment 153
Proposal for a regulation
Article 29 – title

Text proposed by the Commission	*Amendment*
PRM marketed to ***and*** between ***gene banks,*** organisations and networks	PRM marketed to***, by,*** between ***and within*** organisations and networks ***dedicated to dynamic conservation***

Amendment 154
Proposal for a regulation
Article 29 – paragraph 1 – subparagraph 1

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

Amendment 155
Proposal for a regulation
Article 29 – paragraph 1 – subparagraph 2

Text proposed by the Commission	*Amendment*
It ***can*** be marketed ***as well*** from those ***gene banks,*** organisations and networks to persons who carry out conservation of that PRM as final consumers***, for non-profit*** purposes.	It ***may also*** be marketed from those ***conservation*** organisations and networks ***or their members*** to persons who carry out ***dynamic*** conservation of that PRM as final consumers ***or for farming*** purposes.

Amendment 156
Proposal for a regulation
Article 29 – paragraph 1 – subparagraph 3 – point a

Text proposed by the Commission	*Amendment*
(a) be listed in a register kept by those ***gene banks,*** organisations and networks with ***an appropriate*** description of that PRM;	(a) be listed in a register kept by those ***conservation*** organisations and networks with ***a basic*** description of that PRM***, in the event that it does not belong to a variety registered in a national variety register referred to in Article 44***;

Amendment 157
Proposal for a regulation
Article 29 – paragraph 1 – subparagraph 3 – point b

Text proposed by the Commission	*Amendment*
(b) be conserved by those ***gene banks,*** organisations and networks, and samples of that PRM be made available by them to the competent authorities upon request; and	(b) be conserved by those ***conservation*** organisations and networks, and***, where quantities allow it,*** samples of that PRM be made available by them to the competent authorities upon request; and

Amendment 158
Proposal for a regulation
Article 29 – paragraph 1 – subparagraph 3 – point c

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

Amendment 159
Proposal for a regulation
Article 29 – paragraph 2

Text proposed by the Commission	*Amendment*
2. The ***gene banks,*** organisations and networks shall notify the competent authority of the use of the derogation referred to in paragraph 1 and the species concerned.	2. The ***conservation*** organisations and networks shall notify the competent authority of the use of the derogation referred to in paragraph 1 and the species concerned.

Amendment 160
Proposal for a regulation
Article 30 – title

Text proposed by the Commission	*Amendment*
Seed exchanged ***in kind*** between farmers	***PRM*** exchanged between farmers

Amendment 161
Proposal for a regulation
Article 30 – paragraph 1 – introductory part

Text proposed by the Commission	*Amendment*
1. By way of derogation from Articles 5 **-** 25, farmers may exchange ***seeds*** in kind, if such ***seeds fulfill*** all of the following conditions:	1. By way of derogation from Articles 5 ***to*** 25, farmers may exchange ***PRM*** in kind ***or for monetary compensation***, if such ***PRM fulfil*** all of the following conditions:

Amendment 162
Proposal for a regulation
Article 30 – paragraph 1 – point 1

Text proposed by the Commission	*Amendment*
(1) ***are*** produced in the respective farmer's own premises;	(1) ***is*** produced in the respective farmer's own premises;

Amendment 163
Proposal for a regulation
Article 30 – paragraph 1 – point 2

Text proposed by the Commission	*Amendment*
(2) ***are*** derived from the respective farmer's own ***harvest***;	(2) ***is*** derived from the respective farmer's own ***crops***;

Amendment 164
Proposal for a regulation
Article 30 – paragraph 1 – point 3

Text proposed by the Commission	*Amendment*
(3) ***are*** not subject to a service contract conducted by the respective farmer with a professional operator performing seed production; and	(3) ***in the case of seeds, is*** not subject to a service contract conducted by the respective farmer with a professional operator performing seed production; and

Amendment 165
Proposal for a regulation
Article 30 – paragraph 1 – point 4

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

Amendment 166
Proposal for a regulation
Article 30 – paragraph 2 – introductory part

Text proposed by the Commission	*Amendment*
2. Such ***seeds*** shall fulfil all of the following requirements:	2. Such ***PRM*** shall fulfil all of the following requirements:

Amendment 167
Proposal for a regulation
Article 30 – paragraph 2 – point b

Text proposed by the Commission	*Amendment*
(b) to be limited ***to small*** quantities***, defined by the competent authorities for specific species per year and per farmer***, without using commercial intermediaries or public offer of marketing; and	(b) to be limited ***in*** quantities, without using commercial intermediaries or public offer of marketing; and

Amendment 168
Proposal for a regulation
Article 30 – paragraph 2 – point c

Text proposed by the Commission	*Amendment*
(c) to be practically free from quality pests and any defects likely to impact their quality ***as*** seeds, ***and*** shall have satisfactory germination capacity.	(c) to be practically free from quality pests and any defects likely to impact their quality ***and for*** seeds, shall have satisfactory germination capacity.

Amendment 169
Proposal for a regulation
Article 30 – paragraph 3

Text proposed by the Commission	*Amendment*
3. Member States shall annually notify to the Commission and the other Member States the amounts per species defined in accordance with paragraph 2, point (b).	***deleted***

Amendment 170
Proposal for a regulation
Article 30 a (new)

Text proposed by the Commission	*Amendment*
	Article 30a
	Maximum quantity of each species which may be exchanged
	The Commission is empowered to adopt delegated acts in accordance with Article 75, supplementing this Regulation, in order to set up, for each species, the maximum quantity which may be exchanged, referred to in Article 30(2), point (b). That quantity shall be set taking into consideration the needs of small-scale professional farmers as well as plant health risks, while promoting the development and maintenance of diverse

farming systems.

Amendment 171
Proposal for a regulation
Article 31

Text proposed by the Commission	*Amendment*
Article 31	***deleted***
Breeder's seed	
1. By way of derogation from Articles 5 -25, a competent authority may authorise operators to market seed of generations preceeding the pre-basic category to another operator, for the purpose of breeding new varieties (breeders' seed).	
The competent authority shall determine the duration of the authorisation and quantities per species, when granting that authorisation.	
2. The PRM referred to in paragraph 1 shall be accompanied by a label issued by the professional operator, with the indication 'breeder's seed', that shall be affixed, as applicable, on the container, bundle or package of that material.	
It shall be sealed and bear a lot number to be used for identification purposes and control plot testing before it is used as pre-basic seed.	

Amendment 172
Proposal for a regulation
Article 32 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission	*Amendment*
By way of derogation from Article 5, a	By way of derogation from Article 5, a

competent authority may authorise professional operators to produce and market, for the purposes of multiplication, pre-basic seeds, pre-basic material, basic seeds and basic material belonging to a variety not yet registered in a national variety register, referred to in Article 44, if all of the following requirements are fulfilled:	competent authority may authorise professional operators to produce and market, for the purposes of multiplication, pre-basic seeds, pre-basic material, basic seeds and basic material***, standard seed and standard material*** belonging to a variety not yet registered in a national variety register, referred to in Article 44, if all of the following requirements are fulfilled:

Amendment 173
Proposal for a regulation
Article 32 – paragraph 1 – subparagraph 2

Text proposed by the Commission	*Amendment*
Such authorisation may be granted for a maximum period of 3 years in the case of seeds, and 5 years in the case of PRM other than seeds, and for ***small*** quantities per species as specified by the competent authority.	Such authorisation may be granted for a maximum period of 3 years in the case of seeds, and 5 years in the case of PRM other than seeds, and for ***limited*** quantities per species as specified by the competent authority ***in correlation with the volume of production at Member State level***.

Amendment 174
Proposal for a regulation
Article 32 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission	*Amendment*
	This derogation shall not apply to PRM consisting of a genetically modified organism within the meaning of Directive 2001/18/EC.

Amendment 175
Proposal for a regulation
Article 32 – paragraph 2 – introductory part

Text proposed by the Commission	*Amendment*
By way of derogation from Articles 5, 7, 10 -12, 15, 20, 23 and 24, a competent authority may authorise professional operators for a maximum period of 3 years in the case of seeds, and 5 years in the case of PRM other than seeds, and for ***small*** quantities per species as determined by the competent authority, to produce and market PRM belonging to a variety not yet registered in a national variety register referred to in Article 44, if all of the following requirements are fulfilled:	By way of derogation from Articles 5, 7, 10 -12, 15, 20, 23 and 24, a competent authority may authorise professional operators for a maximum period of 3 years in the case of seeds, and 5 years in the case of PRM other than seeds, and for ***limited*** quantities per species as determined by the competent authority***, in correlation with the volume of production at Member State level***, to produce and market PRM belonging to a variety not yet registered in a national variety register referred to in Article 44, if all of the following requirements are fulfilled:

Amendment 176
Proposal for a regulation
Article 32 – paragraph 3 – point a

Text proposed by the Commission	*Amendment*
(a) the production of the stock of pre-basic seeds and material, and basic seeds and material, and certified seeds and material available before the variety registration and the envisaged tests and trials for the standard seeds and material;	***deleted***

Amendment 177
Proposal for a regulation
Article 32 – paragraph 3 – point e

Text proposed by the Commission	*Amendment*
(e) the site where production will take place; and	***deleted***

Amendment 178
Proposal for a regulation
Article 32 – paragraph 3 – point f

Text proposed by the Commission	*Amendment*
(f) the quantities of the material to be made available on the market.	***deleted***

Amendment 179
Proposal for a regulation
Article 33 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission	*Amendment*
In order to remove temporary difficulties in the general supply of PRM that may occur in the Union due to adverse climatic conditions or other unforeseen circumstances, the Commission, ***by means of an implementing act, may*** authorise Member States for a maximum period of 1 year, to allow the marketing of the categories of pre-basic, basic or certified material or seed, which fulfils one of the following conditions:	In order to remove temporary difficulties in the general supply of PRM that may occur in the Union due to adverse climatic conditions or other unforeseen circumstances, the Commission ***is empowered to adopt delegated acts in accordance with Article 75, amending this Regulation***, ***in order to*** authorise Member States for a maximum period of 1 year, to allow the marketing of the categories of pre-basic, basic or certified material or seed, which fulfils one of the following conditions:

Amendment 180
Proposal for a regulation
Article 33 – paragraph 1 – subparagraph 3

Text proposed by the Commission	*Amendment*
That ***implementing act may*** set out the maximum quantities, which may be marketed per genera or species.	That ***delegated act shall*** set out the maximum quantities, which may be marketed per genera or species.

Amendment 181
Proposal for a regulation
Article 33 – paragraph 1 – subparagraph 4

Text proposed by the Commission	*Amendment*
That implementing act shall be adopted in accordance with the examination procedure referred to in Article 76(2).	***deleted***

Amendment 182
Proposal for a regulation
Article 33 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The Commission ***may*** decide, ***by means of an implementing act,*** that the authorisation concerned has to be repealed or amended, if it concludes that is no longer necessary or proportionate to the objective of removing the temporary difficulties in the general supply of the PRM concerned. ***That implementing act shall be adopted in accordance with the examination procedure referred to in Article 76(2).***	3. The Commission ***is empowered to adopt delegated acts in accordance with Article 75, amending this Regulation, in order to*** decide that the authorisation concerned has to be repealed or amended, if it concludes that ***it*** is no longer necessary or proportionate to the objective of removing the temporary difficulties in the general supply of the PRM concerned.

Amendment 183
Proposal for a regulation
Article 33 – paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	4a. The Member State that uses the derogation referred to in paragraph 4 shall notify it to the Commission.

Amendment 184
Proposal for a regulation
Article 33 – paragraph 4 b (new)

Text proposed by the Commission	*Amendment*
	4b. This exceptional authorisation shall not apply to PRM consisting of a genetically modified organism within the meaning of Directive 2001/18/EC.

Amendment 185
Proposal for a regulation
Article 35 – paragraph 1 – point c

Text proposed by the Commission	*Amendment*
(c) the requirements set out in paragraphs 2 to ***5*** are fulfilled.	(c) the requirements set out in paragraphs 2 to ***5a*** are fulfilled.

Amendment 186
Proposal for a regulation
Article 35 – paragraph 5 a (new)

Text proposed by the Commission	*Amendment*
	5a. This derogation shall not apply to PRM consisting of a genetically modified organism within the meaning of Directive 2001/18/EC.

Amendment 187
Proposal for a regulation
Article 36 – paragraph 1 – subparagraph 1

Text proposed by the Commission	*Amendment*
The Commission, by means of implementing acts, may authorise the Member States to impose, with regards to production and marketing of PRM, more stringent production or marketing requirements than those referred to in Articles 7 and 8, in all or part of the territory of the Member State concerned, provided that those more stringent requirements correspond to specific production conditions in, and agro-climatic needs**,** of that Member State in regard to the respective PRM.	The Commission, by means of implementing acts, may authorise the Member States to impose, with regards to production and marketing of PRM, more stringent production or marketing requirements than those referred to in Articles 7 and 8, in all or part of the territory of the Member State concerned, provided that those more stringent requirements correspond to specific production conditions in, and agro-climatic needs of**,** that Member State in regard to the respective PRM ***and do not prohibit, impede or restrict the free movement of PRM that is in conformity with this Regulation***.

Amendment 188
Proposal for a regulation
Article 36 – paragraph 2 – point b

Text proposed by the Commission	*Amendment*
(b) a justification on the necessity and proportionality of such requirements.	(b) a justification on the necessity and proportionality of such requirements ***in light of possible additional costs of production and marketing***.

Amendment 189
Proposal for a regulation
Article 37 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission	*Amendment*
	By way of derogation from the first subparagraph, in the case of lack of

compliance with refuge requirements or with other requirements imposed on cultivation of varieties containing or consisting of genetically modified organisms, the measures restricting or prohibiting the marketing of the PRM concerned shall be put in place until full compliance is restored.

Amendment 190
Proposal for a regulation
Article 37 – paragraph 2

Text proposed by the Commission	*Amendment*
2. Where a Member State officially informs the Commission of the need to take emergency measures and the Commission has not acted in accordance with paragraph 1, that Member State may adopt the appropriate interim emergency measures. Those measures may include provisions restricting, prohibiting or laying down appropriate conditions for the production or marketing of PRM within the territory of that Member State, depending on the gravity of the situation. The Member State concerned shall immediately inform the other Member States and the Commission of the measures adopted, stating the grounds for its decision.	2. Where a Member State officially informs the Commission of the need to take emergency measures and the Commission has not acted in accordance with paragraph 1, that Member State may adopt the appropriate***, proportionate and time-limited*** interim emergency measures. Those measures may include provisions restricting, prohibiting or laying down appropriate conditions for the production or marketing of PRM within the territory of that Member State, depending on the gravity of the situation. The Member State concerned shall immediately inform the other Member States and the Commission of the measures adopted ***and the time period they cover***, stating the grounds for its decision. ***That approach permits a Member State to act quickly and effectively in emergency situations to protect health, the environment and economic interests.***

Amendment 191
Proposal for a regulation
Article 38 – paragraph 1 – subparagraph 1

Text proposed by the Commission	*Amendment*
By way of derogation from Articles 2, 5, 6, 7, 8 ***and*** 20, the Commission ***may, by means of implementing acts, decide on the organisation of*** temporary experiments to seek improved alternatives to provisions of this Regulation concerning the genera and species it applies to, the requirements for belonging to ***a*** registered ***variety,*** the production and marketing requirements for pre-basic, basic, certified and standard material or seed, and the obligation to belong to pre-basic, basic and certified material or seed.	By way of derogation from Articles 2, 5, 6, 7, 8***, 9,*** 20***, 26, 27 and 47 to 53***, the Commission ***is empowered to adopt delegated acts in accordance with Article 75 in order to supplement this Regulation by organising*** temporary experiments to seek improved alternatives to provisions of this Regulation concerning the genera and species it applies to, the requirements for belonging to registered ***PRM or*** the production and marketing requirements for pre-basic, basic, certified and standard material or seed, and the obligation to belong to pre-basic, basic and certified material or seed***, production and marketing requirements for heterogeneous material, and the obligation to belong to pre-basic, basic and certified material or seed***.

Amendment 192
Proposal for a regulation
Article 38 – paragraph 1 – subparagraph 2

Text proposed by the Commission	*Amendment*
Those experiments may take the form of technical or scientific trials examining the feasibility and appropriateness of new requirements compared to the ones set out in Articles 2, 5, 6, 7, 8 ***and*** 20 of this Regulation.	Those experiments may take the form of technical or scientific trials examining the feasibility and appropriateness of new requirements compared to the ones set out in Articles 2, 5, 6, 7, 8***, 9,*** 20***, 26, 27 and 47 to 53*** of this Regulation.

Amendment 193
Proposal for a regulation
Article 38 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission	*Amendment*
The ***implementing*** acts referred to in paragraph 1 ***shall be adopted in accordance with the examination procedure referred to in Article 76(2) and*** shall specify one or more of the following elements:	The ***delegated*** acts referred to in paragraph 1 shall specify one or more of the following elements:

Amendment 194
Proposal for a regulation
Article 38 – paragraph 2 – subparagraph 2

Text proposed by the Commission	*Amendment*
Those acts shall adapt to the evolution of techniques for production of the PRM concerned, ***as*** shall be based on any comparative trials carried out by the Member States.	Those ***delegated*** acts shall adapt to the evolution of techniques for production of the PRM concerned, ***and*** shall be based on any comparative trials carried out by the Member States.

Amendment 195
Proposal for a regulation
Article 38 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The Commission shall review the results of those experiments and summarise them in a report, indicating, if necessary, the need to amend Articles 2, 5***, 6, 7***, ***8 or*** 20.	3. The Commission shall review the results of those experiments and summarise them in a report, indicating, if necessary, the need to amend Articles 2, 5 ***to 9***, 20***, 26, 27 and 47 to 53***.

Amendment 196
Proposal for a regulation
Article 39 – paragraph 1 – subparagraph 2

Text proposed by the Commission	*Amendment*
However, ***no*** such import shall ***be allowed, and no*** such equivalence ***shall*** be recognised ***pursuant to*** paragraph 2, for the ***preservation mixtures such as those*** referred to in ***Article 22, and for PRM such as that subject to the derogations of*** Articles ***26 - 30***.	However, such import shall ***not be authorised, nor shall*** such equivalence be recognised ***under*** paragraph 2, for the ***PRM*** referred to in Articles ***22 to 29, except where it originates in neighbouring countries***.

Amendment 197
Proposal for a regulation
Article 40 – paragraph 1 – subparagraph 3 – point g

Text proposed by the Commission	*Amendment*
(g) the name of the ***person*** importing the PRM.	(g) the name of the ***final user, farmer or professional operator*** importing the PRM.

Amendment 198
Proposal for a regulation
Article 40 – paragraph 2 – point g

Text proposed by the Commission	*Amendment*
(g) the name of the ***person*** importing the PRM.	(g) the name of the ***final user, farmer or professional operator*** importing the PRM.

Amendment 199
Proposal for a regulation
Article 41 – paragraph 1 – introductory part

Text proposed by the Commission	*Amendment*
Professional operators, which produce PRM, shall:	Professional operators, which produce PRM ***with the aim of commercial exploitation***, shall:

Amendment 200
Proposal for a regulation
Article 41 – paragraph 1 – point e

Text proposed by the Commission	*Amendment*
(e) keep records of the monitoring of the critical points referred to in point ***(b)*** and provide them for examination when requested by the competent authorities;	(e) keep records of the monitoring of the critical points referred to in point ***(d)*** and provide them for examination when requested by the competent authorities;

Amendment 201
Proposal for a regulation
Article 41 – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	The requirements laid down in paragraph 1, points (d) and (e), shall not apply to micro-enterprises.

Amendment 202
Proposal for a regulation
Article 41 – paragraph 1 b (new)

Text proposed by the Commission	*Amendment*
	The activities referred to in Articles 29 and 30 shall not be subject to the provisions of this Article.

Amendment 203
Proposal for a regulation
Article 42 – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. The activities referred to in Articles 29 and 30 shall not be subject to the provisions of this Article.

Amendment 204
Proposal for a regulation
Article 43 – paragraph 1 – point a

Text proposed by the Commission	*Amendment*
(a) their intention to produce pre-basic, basic and certified material or pre-basic, basic and certified seed, ***at least one month*** before the beginning of that production; and	(a) their intention to produce pre-basic, basic and certified material or pre-basic, basic and certified seed, before the beginning of that production; and

Amendment 205
Proposal for a regulation
Article 44 – paragraph 1 – introductory part

Text proposed by the Commission	*Amendment*
1. Each Member State shall establish and publish, in electronic format, and shall keep updated a single national register of varieties (‘national variety register’) containing:	1. Each Member State shall establish and publish, in electronic format, and shall keep ***permanently*** updated a single national register of varieties (‘national variety register’) containing:

Amendment 206
Proposal for a regulation
Article 45 – paragraph 2 – subparagraph 1

Text proposed by the Commission	*Amendment*
The Union variety register shall include the varieties, registered in national variety registers and notified in accordance with	The Union variety register shall include the varieties, registered in national variety registers and notified in accordance with

Article 44.	Article 44***, and shall be updated monthly***.

Amendment 207
Proposal for a regulation
Article 46 – paragraph 2

Text proposed by the Commission	*Amendment*
2. The Commission is empowered to adopt a delegated act in accordance with Article 75, in order to amend Annex VII, taking into account the technical and scientific developments, and on the basis of gained experience indicating the need of competent authorities or professional operators to obtain more precise information about the registered varieties.	2. The Commission is empowered to adopt a delegated act in accordance with Article 75, in order to amend Annex VII ***by adding elements that need to be included in the variety registers***, taking into account the technical and scientific developments, and on the basis of gained experience indicating the need of competent authorities or professional operators to obtain more precise information about the registered varieties.

Amendment 208
Proposal for a regulation
Article 47 – paragraph 1 – subparagraph 1 – point a – point i

Text proposed by the Commission	*Amendment*
(i) an official description showing compliance with the requirements of distinctness, uniformity and stability set out in Articles 48, 49 and 50***,*** and fulfil the requirements for satisfactory value for sustainable cultivation and use, as set out in Article 52; or	(i) an official description showing compliance with the requirements of distinctness, uniformity and stability set out in Articles 48, 49 and 50 and, ***in the case of species listed in Part A except turf grasses, and in Parts D and E of Annex I,*** fulfil the requirements for satisfactory value for sustainable cultivation and use, as set out in Article 52; or

Amendment 209
Proposal for a regulation
Article 47 – paragraph 1 – subparagraph 1 – point f

Text proposed by the Commission	*Amendment*
(f) where the varieties are tolerant to herbicides, they are subject to cultivation conditions for the production of PRM and for any other purpose, adopted pursuant to paragraph 3 or, in the ***case*** they have not been adopted, as adopted by the competent authorities responsible for registration, to avoid the development of herbicide resistance in weeds due to their use;	(f) where the varieties are tolerant to herbicides, they are subject to cultivation conditions for the production of PRM and for any other purpose, adopted pursuant to paragraph 3 or, in the ***event that*** they have not been adopted, as adopted by the competent authorities responsible for registration, ***and, in the event that the varieties are to be cultivated in another Member State, those conditions shall be adopted by the respective competent authority, in order*** to avoid the development of herbicide resistance in weeds due to their use; ***when a plan for cultivation conditions has already been established by a Member State, those conditions shall, where appropriate, be extended to the registrations of subsequent varieties with similar characteristics within that Member State;***

Amendment 210
Proposal for a regulation
Article 47 – paragraph 1 – subparagraph 1 – point g

Text proposed by the Commission	*Amendment*
(g) where the varieties have particular characteristics other than the ones referred to in point (f) that may lead to undesirable agronomic effects, they are subject to cultivation conditions for the production of PRM and any other purpose, adopted pursuant to paragraph 3 or, in the ***case*** they have not been adopted, as adopted by the competent authorities responsible for their registration, to avoid those particular undesirable agronomic effects, such as the development of resistance of pests to the respective	(g) where the varieties have particular characteristics other than the ones referred to in point (f) that may lead to undesirable agronomic effects, they are subject to cultivation conditions for the production of PRM and any other purpose, adopted pursuant to paragraph 3 or, in the ***event that*** they have not been adopted, as adopted by the competent authorities responsible for their registration, ***and, in the event that the varieties are to be cultivated in another Member State, adopted by the respective competent***

varieties or undesirable effects on pollinators***.***	***authority in that Member State, in order*** to avoid those particular undesirable agronomic effects, such as the development of resistance of pests to the respective varieties or undesirable effects on pollinators***; when cultivation conditions have already been established by a Member State, those conditions shall, where appropriate, be extended to the registrations of subsequent varieties with similar characteristics within that Member State.***

Amendment 211
Proposal for a regulation
Article 47 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission	*Amendment*
The Commission shall adopt, by means of implementing acts, specific requirements concerning:	The Commission shall adopt, by means of implementing acts, specific requirements ***for carrying out the examinations in respect of trial design and growing conditions*** concerning:

Amendment 212
Proposal for a regulation
Article 47 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission	*Amendment*
The Commission is empowered to adopt delegated acts in accordance with Article 75, supplementing this Regulation with the minimum cultivation conditions to be adopted by the competent authorities pursuant to ***paragraphs 1(f)*** and (g), concerning:	The Commission is empowered to adopt delegated acts in accordance with Article 75, supplementing this Regulation with the minimum ***requirements for the*** cultivation conditions to be adopted by the competent authorities pursuant to ***paragraph 1, points (f)*** and (g), concerning:

Amendment 213
Proposal for a regulation
Article 47 – paragraph 3 – subparagraph 1 – point i

Text proposed by the Commission	*Amendment*
(i) measures in the field, including crop rotation;	***(a)*** measures in the field, including crop rotation;

Amendment 214
Proposal for a regulation
Article 47 – paragraph 3 – subparagraph 1 – point ii

Text proposed by the Commission	*Amendment*
(ii) monitoring measures;	***(b)*** monitoring measures;

Amendment 215
Proposal for a regulation
Article 47 – paragraph 3 – subparagraph 1 – point iii

Text proposed by the Commission	*Amendment*
(iii) the mode of notification of the conditions referred to in point ***(i)*** to the Commission and the other Member States;	***(c)*** the mode of notification of the conditions referred to in point ***(a)*** to the Commission and the other Member States;

Amendment 216
Proposal for a regulation
Article 47 – paragraph 3 – subparagraph 1 – point iv

Text proposed by the Commission	*Amendment*
(iv) rules for reporting from professional operators to the competent authorities concerning the application of the	***(d)*** rules for reporting from professional operators to the competent authorities concerning the application of the

conditions referred to in point ***(i)***;	conditions referred to in point ***(a)*;**

Amendment 217
Proposal for a regulation
Article 47 – paragraph 3 – subparagraph 1 – point v

Text proposed by the Commission	*Amendment*
(v) the indication of the conditions referred to in point ***(i)*** in the national variety registers.	***(e)*** the indication of the conditions referred to in point ***(a)*** in the national variety registers.

Amendment 218
Proposal for a regulation
Article 47 – paragraph 4

Text proposed by the Commission	*Amendment*
4. For the purpose of registering a variety in its national variety register, a competent authority shall accept, without any further examination, an official description or an official examination of the requirements for value for sustainable cultivation and use, as referred to in paragraph 1, point (a)(i), which has been produced by a competent authority of another Member State.	4. For the purpose of registering a variety in its national variety register, a competent authority shall accept, without any further examination, an official ***description, an officially recognised*** description or an official examination of the requirements for value for sustainable cultivation and use, as referred to in paragraph 1, point (a)(i), which has been produced by a competent authority of another Member State ***if equivalent recognition measures exist between the two competent authorities***.

Amendment 219
Proposal for a regulation
Article 48 – paragraph 1

Text proposed by the Commission	*Amendment*
1. For the purposes of the official description, referred to in Article 47(1),	1. For the purposes of the official description, referred to in Article 47(1),

point (a), a variety shall be deemed to be distinct, if it is clearly distinguishable, by reference to the expression of the characteristics that results from a particular genotype or combination of genotypes, from any other variety ***whose existence*** is commonly known on the date of the submission of the application established in accordance with Article 58.	point (a), a variety shall be deemed to be distinct, if it is clearly distinguishable, by reference to the expression of the characteristics that results from a particular genotype or combination of genotypes, from any other variety ***which*** is commonly known on the date of the submission of the application established in accordance with Article 58.

Amendment 220
Proposal for a regulation
Article 48 – paragraph 2 – point a

Text proposed by the Commission	*Amendment*
(a) the variety is included in a national variety register;	(a) the variety is included in a national variety register ***or documentation provided to the competent authority by natural or legal persons involved in selling PRM to final users or in dynamic conservation***;

Amendment 221
Proposal for a regulation
Article 52 – paragraph 1 – subparagraph 2 – point f

Text proposed by the Commission	*Amendment*
(f) characteristics that enhance the sustainability of storage, processing ***and*** distribution;	(f) characteristics that enhance the sustainability of ***cultivation, harvesting,*** storage, processing***,*** distribution ***and use***;

Amendment 222
Proposal for a regulation
Article 52 – paragraph 1 – subparagraph 2 – point g

Text proposed by the Commission	*Amendment*
(g) quality or nutritional characteristics.	(g) quality, or nutritional characteristics ***or characteristics important for processing;***

Amendment 223
Proposal for a regulation
Article 52 – paragraph 1 – subparagraph 2 – point g a (new)

Text proposed by the Commission	*Amendment*
	(ga) pre- or post-harvest waste reduction.

Amendment 224
Proposal for a regulation
Article 52 – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	1a. Examination of the value for sustainable cultivation and use shall be made possible for the species listed in Parts B and C of Annex I on a voluntary basis. Where the examination of the sustainable cultivation and use has been carried out by an official competent authority or under the official supervision and guidance of the competent authority pursuant to Article 61, it shall allow the inclusion of claim on the area of the label mentioned in Article 17(5). That claim shall only concern the characteristics that have been shown to offer a clear improvement compared to other varieties of the same species during the examination tests. The voluntary system shall allow competent authorities to develop methodologies to assess the characteristics listed under paragraph 1,

second subparagraph, points (a) to (g).

Amendment 225
Proposal for a regulation
Article 52 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission	*Amendment*
(b) establishing the methodologies for assessing the characteristics listed under paragraph 1, points (a) to ***(g)***;	(b) establishing the methodologies for assessing the characteristics listed under paragraph 1, ***second subparagraph,*** points (a) to ***(ga)***;

Amendment 226
Proposal for a regulation
Article 52 – paragraph 3 – subparagraph 3 a (new)

Text proposed by the Commission	*Amendment*
	Those delegated acts shall ensure that the minimum requirements, methodologies and standards referred to in points (a) to (c) of the first subparagraph that apply to Parts D and E of Annex I, are adapted to the specific features of those species and their end-uses, as well as to the objectives of diversity and innovation.

Amendment 227
Proposal for a regulation
Article 52 – paragraph 3 – subparagraph 4

Text proposed by the Commission	*Amendment*
The Commission may adopt, by means of implementing acts, a decision requesting a Member State to repeal or modify those	***deleted***

rules, if they are deemed, on the basis of the available scientific and technical evidence, to be inappropriate for the examination of value for sustainable cultivation and use of a variety. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).

Amendment 228
Proposal for a regulation
Article 52 – paragraph 4 – subparagraph 2

Text proposed by the Commission	*Amendment*
Where competent authorities are not able to carry out an examination under organic conditions, or the examination of certain characteristics, including disease susceptibility, testing may be carried out under low-input conditions and with only the absolutely necessary ***for the completion of the testing*** treatments with pesticides and other external inputs.	Where competent authorities are not able to carry out an examination under organic conditions, or the examination of certain characteristics, including disease susceptibility, testing may be carried out under ***in-conversion or*** low-input conditions and with only the absolutely necessary treatments with pesticides and other external inputs ***for the completion of the examination***. ***Where applicable, the Member States shall report yearly to the Commission on the reasons behind not testing under organic conditions and implementation of testing under non-organic conditions.***

Amendment 229
Proposal for a regulation
Article 52 – paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	4a. Competent authorities may include testing of conventional seed under low input conditions, organic in-conversion, or

organic conditions.

Amendment 230
Proposal for a regulation
Article 52 – paragraph 4 b (new)

Text proposed by the Commission	*Amendment*
	4b. By ... [10 years from the date of entry into force of this Regulation] the Commission shall evaluate the results of the voluntary system referred to in paragraph 1a, and shall summarise the results of that evaluation in a report to the European Parliament and the Council.

Amendment 231
Proposal for a regulation
Article 53 – paragraph 1 – point b

Text proposed by the Commission	*Amendment*
(b) it has an indication of its initial region of origin;	(b) it has an indication of its initial region of origin***, when known, or the local conditions under which it has been newly bred***;

Amendment 232
Proposal for a regulation
Article 53 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission	*Amendment*
	The registration under this Article shall be free of charge for the applicant.

Amendment 233
Proposal for a regulation
Article 53 – paragraph 2 – subparagraph 2

Text proposed by the Commission	*Amendment*
The competent authority shall accept or reject the registration of a conservation variety, after checking its compliance with paragraph 1.	The competent authority shall accept or reject the registration of a conservation variety, after checking its compliance with paragraph 1. ***The competent authority shall communicate to the applicant its decision. In the event of rejection of the registration, it shall state the reasons justifying such rejection.***

Amendment 234
Proposal for a regulation
Article 53 – paragraph 4 – subparagraph 2

Text proposed by the Commission	*Amendment*
The Commission may, by means of implementing acts, specify the characteristics and information that that description should cover if appropriate for specific species. Such implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).	***deleted***

Amendment 235
Proposal for a regulation
Article 53 a (new)

Text proposed by the Commission	*Amendment*
	Article 53a
	Requirements for the registration of a selected clone and polyclonal PRM in the

Member State´s register

1. The applicant shall submit an application to the competent authority indicating:

(a) species and, as applicable, variety to which the selected clone or polyclonal PRM belongs, whereby the variety shall be registered in a national variety register referred to in Article 44;

(b) proposed denomination and synonyms;

(c) where applicable, description of the polyclonal PRM;

(d) the maintainer of the selected clone or polyclonal PRM;

(e) reference to the description of the main characteristics of the variety to which the selected clone or polyclonal PRM belongs;

(f) description of the main value for sustainable cultivation and use characteristics of the selected clone or polyclonal PRM;

(g) the estimated genetic gains of the selected clone or polyclonal PRM in relation to the overall performance of the relevant variety;

(h) information on whether the selected clone or polyclonal PRM is already registered in a register of another Member State.

2. The selected clone shall fulfil the following requirements in order to be registered in the Member State's register:

(a) it shall be selected within the variety it belongs to for some special intravarietal phenotypic traits and its phytosanitary status that give the selected clone a better performance, in accordance with internationally accepted methods based on methods from the International Organisation of Vine and

Wine;

(b) the trueness of the selected clone to the identity of the variety shall be ensured through the observation of the phenotypic characteristics and, where appropriate, through molecular analysis pursuant to internationally accepted standards.

3. The polyclonal PRM shall fulfil the following requirements in order to be registered in the Member State's register:

(a) it shall be selected in a single field trial containing a representative sample of the overall genetic diversity of the variety according to an experimental design based on internationally accepted methods; that design shall be based on methods prescribed by the International Organisation of Vine and Wine and shall be composed of seven to 20 distinct genotypes[1a];

(b) the trueness of the polyclonal PRM to the identity of the variety shall be ensured through the observation of the phenotypic characteristics and, where appropriate, through molecular analysis pursuant to internationally accepted standards.

4. The competent authority shall decide on the registration in the Member State´s register only after it concludes that the conditions set out in paragraphs 2 and 3, as applicable for the type of material, are fulfilled.

[1a] International Organisation of Vine and Wine, resolution OIV-VITI 564B[1]2019.

Amendment 236
Proposal for a regulation
Article 54 – paragraph 1 – point c – paragraph 1 – point i

Text proposed by the Commission	*Amendment*
(i) under which another variety of the same or of a closely related species is entered in a national variety register or in the Union variety register***;*** or	(i) under which another variety of the same or of a closely related species is entered in a national variety register or in the Union variety register or ***in documentation provided to the competent authority by a natural or legal person involved in the dynamic conservation;***

Amendment 237
Proposal for a regulation
Article 54 – paragraph 1 – point c – paragraph 2

Text proposed by the Commission	*Amendment*
unless variety referred to in point (i) or (ii) no longer remains in existence and its denomination has acquired no special significance;	***deleted***

Amendment 238
Proposal for a regulation
Article 56 – paragraph 1 – point d

Text proposed by the Commission	*Amendment*
(d) a ***proposed denomination***;	(d) a ***provisional designation***;

Amendment 239
Proposal for a regulation
Article 56 – paragraph 1 – point d a (new)

Text proposed by the Commission	*Amendment*
	(da) a variety denomination proposed by the applicant which may accompany the application;

Amendment 240
Proposal for a regulation
Article 56 – paragraph 1 – point j

Text proposed by the Commission	*Amendment*
(j) where the variety contains or consists of a genetically modified organism, evidence that the genetically modified organism in question is authorised for cultivation in the Union, in accordance with Directive 2001/18/EC or Regulation (EC) No 1829/2003, or, where applicable, in the respective Member State in accordance with Article 26b of Directive 2001/18/EC***;***;	(j) where the variety contains or consists of a genetically modified organism, evidence that the genetically modified organism in question is authorised for cultivation in the Union, in accordance with Directive 2001/18/EC or Regulation (EC) No 1829/2003, or, where applicable, in the respective Member State in accordance with Article 26b of Directive 2001/18/EC***, and the evidence of compliance with the cultivation and monitoring requirements in the given growing season***;

Amendment 241
Proposal for a regulation
Article 56 – paragraph 1 – point k

Text proposed by the Commission	*Amendment*
(k) where the application concerns conservation varieties, information related to the production of an officially recognised description of the variety, a proof of that description and any document or publication supporting it;	***deleted***

Amendment 242
Proposal for a regulation
Article 56 – paragraph 1 – point o

Text proposed by the Commission	*Amendment*
(o) ***the intended use or conditions of cultivation, if applicable pursuant to Article 47(2), of*** the variety***.***	(o) ***in the event that*** the variety ***is tolerant to herbicides as referred to in Article 47(1), point (f), or has particular characteristics that may lead to undesirable agronomic effects as referred to in Article 47(1), point (g), an indication of that fact;***

Amendment 243
Proposal for a regulation
Article 56 – paragraph 1 – point o a (new)

Text proposed by the Commission	*Amendment*
	(oa) the breeding techniques used for the development of the variety;

Amendment 244
Proposal for a regulation
Article 56 – paragraph 1 – point o b (new)

Text proposed by the Commission	*Amendment*
	(ob) the existence of any intellectual property rights covering the variety, its components, and characteristics, within the limits of the rights applied for or granted for that variety to the applicant, including where the applicant has signed a contractual licence or has obtained a compulsory licence for the use of a patent owned by another operator.

Amendment 245
Proposal for a regulation
Article 61 – paragraph 1 – introductory part

Text proposed by the Commission	*Amendment*
1. By way of derogation from Article 59(2), the technical examination of whether the variety has a sustainable value for cultivation and use, in accordance with Article 52, or part of it, ***may be carried out by the applicant*** if:	1. By way of derogation from Article 59(2), ***and only for operators under the voluntary system referred to in Article 52(1a), the competent authority may authorise the applicant to carry out*** the technical examination of whether the variety has a sustainable value for cultivation and use, in accordance with Article 52, or part of it, if:

Amendment 246
Proposal for a regulation
Article 61 – paragraph 1 – point a

Text proposed by the Commission	*Amendment*
(a) that applicant has been authorised by the competent authority of the respective Member State;	***deleted***

Amendment 247
Proposal for a regulation
Article 61 – paragraph 1 – point c a (new)

Text proposed by the Commission	*Amendment*
	(ca) the examination does not replace the risk assessment required to apply for marketing authorisation under Directive 2001/18/EC on genetically modified organisms.

Amendment 248
Proposal for a regulation
Article 63 – paragraph 3

Text proposed by the Commission	*Amendment*
3. This Article shall apply without prejudice to Article 8 of Regulation (EU) 2017/625.	3. This Article shall apply without prejudice to Article 8 of Regulation (EU) 2017/625. ***The competent authorities shall take due account of the respect of confidentiality of commercial or industrial information where such confidentiality is provided for by Union or national law to protect a legitimate economic interest.***

Amendment 249
Proposal for a regulation
Article 67 – paragraph 2 – point a

Text proposed by the Commission	*Amendment*
(a) it establishes that the respective requirements set out in Article 47(1) are not fulfilled; or	(a) it establishes that the respective requirements set out in Article 47(1) ***and Article 48*** are not fulfilled; or

Amendment 250
Proposal for a regulation
Article 68 – paragraph 1

Text proposed by the Commission	*Amendment*
1. By way of derogation from Articles 54 to 67, the competent authorities shall immediately register in their national variety registers all varieties officially accepted or registered before … [the date of ***the*** entry into force of this Regulation], in the catalogues, lists or registers established by their Member States pursuant to Article 5 of Directive 68/193/EEC, Article 3 of Directive 2002/53/EC, Article 3(2) of Directive 2002/55/EC and Article ***7(4)*** of Directive	1. By way of derogation from Articles 54 to 67, the competent authorities shall immediately register in their national variety registers all varieties officially accepted or registered before … [the date of entry into force of this Regulation], in the catalogues, lists or registers established by their Member States pursuant to Article 5 of Directive 68/193/EEC, Article 3 of Directive 2002/53/EC, Article 3(2) of Directive 2002/55/EC and ***varieties with an official***

2008/90/EC, without applying the registration procedure set out by those Articles.	***description pursuant to*** Article ***7*** of Directive 2008/90/EC, without applying the registration procedure set out by those Articles.

Amendment 251
Proposal for a regulation
Article 68 – paragraph 2

Text proposed by the Commission	*Amendment*
2. By way of derogation from Article 53, varieties accepted in accordance with Article 3 of Directive 2008/62/EC and Article 3(1) of Directive 2009/145/EC before… [***OJ, please, insert*** the date of ***the*** entry into force of this Regulation] shall be immediately registered in the national variety registers as conservation varieties provided with an officially recognised description without applying the registration procedure set out by that Article.	2. By way of derogation from Article 53, varieties accepted in accordance with Article 3 of Directive 2008/62/EC and Article 3(1) ***and Article 21(1)*** of Directive 2009/145/EC, ***and varieties with an officially recognised description pursuant to Article 7 of Directive 2008/90/EC*** before… [the date of entry into force of this Regulation] shall be immediately registered in the national variety registers as conservation varieties provided with an officially recognised description without applying the registration procedure set out by that Article.

Amendment 252
Proposal for a regulation
Article 69 – paragraph 1 – subparagraph 2

Text proposed by the Commission	*Amendment*
However, that period of registration shall be 30 years for varieties of species of fruit plants and vine propagating material, as listed respectively in Parts C and D of Annex I.	However, that period of registration shall be 30 years for ***conservation varieties and*** varieties of species of fruit plants and vine propagating material, as listed respectively in Parts C and D of Annex I.

Amendment 253
Proposal for a regulation
Article 70 – paragraph 4

Text proposed by the Commission	*Amendment*
4. The competent authority may, on its own initiative, renew the registration of a variety, if it is still in large demand by the professional operators and farmers concerned, or it should be retained in the interest of conserving plant genetic resources.	4. The competent authority may, on its own initiative, renew the registration of a variety, if it is still in large demand by the professional operators and farmers concerned, or it should be retained in the interest of conserving plant genetic resources***, provided that the variety is no longer protected by a plant breeders' right title in accordance with Council Regulation (EC) No 2100/94, and provided that the variety is off the list for a minimum of two years***.

Amendment 254
Proposal for a regulation
Article 75 – paragraph 2 – subparagraph 1

Text proposed by the Commission	*Amendment*
The delegation of power referred to in Articles 2(3), 7(3), 8(4), 10(2), 15(5), 20(2), 22(2), 24(4), 27(3), 46(2), 47(3), 52(3), 54(4), 61(3), and 62(1) shall be conferred on the Commission for 5 years from the date of ***the*** entry into force of this Regulation.	The power ***to adopt delegated acts*** referred to in Articles 2(3), 7(3), 8(4), 10(2), ***12(3),*** 15(5), 20(2), 22(2), 24(4), 27(3)***, 30a, 33(1) and (3), 38(1) and (2)***, 46(2), 47(3), 52(3), 54(4), 61(3), and 62(1) shall be conferred on the Commission for ***five*** years from ***... [***the date of entry into force of this Regulation***]***.

Amendment 255
Proposal for a regulation
Article 75 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The delegation of power referred to in Articles 2(3), 7(3), 8(4), 10(2), 15(5), 20(2), 22(2), 24(4), 27(3), 46(2), 47(3),	3. The delegation of power referred to in Articles 2(3), 7(3), 8(4), 10(2), ***12(3),*** 15(5), 20(2), 22(2), 24(4), 27(3)***, 30a, 33(1)***

52(3), 54(4), 61(3), and 62(1) may be revoked at any time by the European Parliament or by the Council. A decision ***of revocation*** shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

and (3), 38(1) and (2), 46(2), 47(3), 52(3), 54(4), 61(3), and 62(1) may be revoked at any time by the European Parliament or by the Council. A decision ***to revoke*** shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 256
Proposal for a regulation
Article 75 – paragraph 6

Text proposed by the Commission	*Amendment*
6. A delegated act adopted pursuant to Articles 2(3), 7(3), 8(4), 10(2), 15(5), 20(2), 22(2), 24(4), 27(3), 46(2), 47(3), 52(3), 54(4), 61(3), and 62(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of the notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council.	6. A delegated act adopted pursuant to Articles 2(3), 7(3), 8(4), 10(2), ***12(3),*** 15(5), 20(2), 22(2), 24(4), 27(3)***, 30a, 33(1) and (3), 38(1) and (2)***, 46(2), 47(3), 52(3), 54(4), 61(3), and 62(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of the notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council.

Amendment 257
Proposal for a regulation
Article 77 – paragraph 1 – point a

Text proposed by the Commission	*Amendment*
(a) quantities of certified and standard PRM ***and areas used for their production*** per year and species with a specification of the quantities used for organic varieties suitable for organic production;	(a) quantities of certified and standard PRM per year and species with a specification of the quantities used for organic varieties suitable for organic production;

Amendment 258
Proposal for a regulation
Article 77 – paragraph 1 – point d

Text proposed by the Commission	*Amendment*
(d) number of professional operators using the derogations for marketing to final users in accordance with Article 28, the species concerned ***and total quantities of PRM per species***;	(d) number of professional operators using the derogations for marketing to final users in accordance with Article 28, the species concerned;

Amendment 259
Proposal for a regulation
Article 77 – paragraph 1 – point e

Text proposed by the Commission	*Amendment*
(e) number of ***gene banks,*** organisations and networks with a statutory or other declared objective to conserve plant genetic resources, in accordance with Article 29 and the species concerned;	(e) number of ***conservation*** organisations and networks with a statutory or other declared objective to conserve plant genetic resources, in accordance with Article 29 and the species concerned;

Amendment 260
Proposal for a regulation
Article 77 – paragraph 1 – point f

Text proposed by the Commission	*Amendment*
(f) the quantities as defined per species for the seeds exchanged in kind between farmers, in accordance with Article 30;	***deleted***

Amendment 261
Proposal for a regulation
Article 77 – paragraph 1 – point g

Text proposed by the Commission	*Amendment*
(g) the quantities authorised per species for PRM intended for tests and trials for the breeding of new varieties, in accordance with Article 31;	***deleted***

Amendment 331
Proposal for a regulation
Article 77 – paragraph 1 – point k a (new)

Text proposed by the Commission	*Amendment*
	(ka) progress made in the conservation and sustainable use of plant genetic resources for food and agriculture, i.e. through the number of entities having notified their use of Article 29 and other related data.

Amendment 262
Proposal for a regulation
Article 78 – paragraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties	1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties

provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those rules and of those measures and of any subsequent amendment affecting them.	provided for shall be effective, proportionate***, preventive*** and dissuasive. Member States shall, without delay, notify the Commission of those rules and of those measures and of any subsequent amendment affecting them.

Amendment 263
Proposal for a regulation
Article 81

Text proposed by the Commission	*Amendment*
Article 81	***deleted***
Amendment of Regulation (EU) 2018/848	
Regulation (EU) 2018/848 is amended as follows:	
(1) Article 3 is amended as follows:	
(a) point (17) is replaced by the following:	
'(17) 'plant reproductive material' means plant reproductive material as defined in Article 3(1) of Regulation (EU) …/… of the European Parlament and Council(*)+;';	
_____	
(*) Regulation (EU) …/… of the European Parliament and of the Council …. (OJ …, p…). [footnote that will be in that regulation goes here]	
[+ OJ: Please insert in the text the number of this Regulation and insert the number, date, title and OJ reference of this Regulation in the footnote.]'	
(b) point (18) is replaced by the following:	
'(18) 'organic heterogeneous material' means heterogeneous material as defined in Article 3(27) of Regulation (EU) …/…(*)++ , produced in accordance with this Regulation;'	

_____

(*) Regulation (EU) …/… of the European Parliament and of the Council …. (OJ …, p…). [footnote that will be in that regulation goes here]

[++ OJ: Please insert in the text the number of this Regulation.]'

(2) Article 13 is deleted.

(3) The second paragaph of Point 1.8.4. of Part I of Annex II to Regulation (EU) 2018/848 is replaced by the following: " All multiplication practices, except plant tissue cultures, cell cultures, germplasm, meristems, chimaeric clones, micro-propagated material, shall be carried out under certified organic management".

Amendment 264
Proposal for a regulation
Article 83 – paragraph 3 – point b

Text proposed by the Commission	*Amendment*
(b) Article 52 shall apply ***from ... [60 months from the date of the entry into force of this Regulation] for the species*** listed in ***Parts B and C of Annex I***. It shall be binding in its entirety and directly applicable in all Member States.	(b) Article 52 shall apply***, provided that the respective examination requirements, methodologies and standards for assessing the characteristics*** listed in ***Article 52(1), second subparagraph, points (a) to (gb), exist***. It shall be binding in its entirety and directly applicable in all Member States.

Amendment 265
Proposal for a regulation
Annex I – Part A – row 107 a (new)

Text proposed by the Commission	*Amendment*
	Cicer arietinum

	Camelina sativa
	Fagopyrum esculentu
	Lens culinaris
	Triticum monococcum
	Chenopodium quinoa
	Vicia ervilia
	Vicia narbonensis
	Tritordeum
	Lathyrus sativus
	Eragrostis tef
	Ceratonia siliqua

Amendment 266
Proposal for a regulation
Annex I – Part B – row 29 a (new)

Text proposed by the Commission	*Amendment*
	Salvia hispanica.

Amendment 267
Proposal for a regulation
Annex II – Part B – title

Text proposed by the Commission	*Amendment*
REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF PRE-BASIC, BASIC AND CERTIFIED MATERIAL OF AGRICULTURAL AND VEGETABLE SPECIES	REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF PRE-BASIC, BASIC AND CERTIFIED MATERIAL OF AGRICULTURAL AND VEGETABLE SPECIES***, FRUIT PLANTS***

Amendment 268
Proposal for a regulation
Annex II – Part C – title

Text proposed by the Commission	*Amendment*
REQUIREMENTS FOR THE PRODUCTION***,*** ***REGISTRATION*** AND MARKETING OF SELECTED CLONES***, MULTICLONAL MIXTURES AND POLYCLONAL PRM*** OF PRE-BASIC, BASIC AND CERTIFIED MATERIAL AS REFERRED TO IN ARTICLE 9 (1)	REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF SELECTED CLONES OF PRE-BASIC, BASIC AND CERTIFIED MATERIAL AS REFERRED TO IN ARTICLE 9 (1)

Amendment 269
Proposal for a regulation
Annex II – Part C – paragraph 1 – introductory part

Text proposed by the Commission	*Amendment*
Requirements for the production of pre-basic, basic and certified selected clones***, multiclonal mixtures and polyclonal PRM***	Requirements for the production of pre-basic, basic and certified selected clones

Amendment 270
Proposal for a regulation
Annex II – Part C – paragraph 1 – point A – point a

Text proposed by the Commission	*Amendment*
(a) The identity of the selected clone***, multiclonal mixture or polyclonal PRM*** shall be determined through an official label or a label issued by the profesional operator and recorded by the professional operator to ensure its traceability. The label of the material or the records, on the respective mother plants for the production of each selected clone ***and the respective genotypes for the production***	(a) The identity of the selected clone shall be determined through an official label or a label issued by the profesional operator and recorded by the professional operator to ensure its traceability. The label of the material or the records, on the respective mother plants for the production of each selected clone shall be kept by the professional operator after the marketing of that PRM.

of the polyclonal PRM, shall be kept by the professional operator after the marketing of that PRM.

Amendment 271
Proposal for a regulation
Annex II – Part C – paragraph 1 – point A – point b – point i

Text proposed by the Commission	*Amendment*
(i) there is sufficient distance from other plants of the same genera or species, determined on the basis of botanical characteristics for each species and as appropriate for the category of the material, to ensure protection from any undesirable foreign pollination and to avoid cross pollination with other crops;	***deleted***

Amendment 272
Proposal for a regulation
Annex II – Part C – paragraph 1 – point B – point d

Text proposed by the Commission	*Amendment*
(d) The respective mother plants ***and the respective genotypes*** shall be excluded as a source of PRM in case of defects.	(d) The respective mother plants shall be excluded as a source of PRM in case of defects.

Amendment 273
Proposal for a regulation
Annex II – Part C – paragraph 1 – point B – point e

Text proposed by the Commission	*Amendment*
(e) The respective mother plants ***and the respective genotypes*** shall be maintained in all phases of cultivation, under conditions to enable the production	(e) The respective mother plants shall be maintained in all phases of cultivation, under conditions to enable the production of PRM, and to permit their identification

of PRM, and to permit their identification and verification of compliance with the official description or the officially recognised description of their variety. In the case of mother plants not belonging to a variety, that verification of compliance with the official description or the officially recognised description shall concern the species to which those mother plants belong.	and verification of compliance with the official description or the officially recognised description of their variety. In the case of mother plants not belonging to a variety, that verification of compliance with the official description or the officially recognised description shall concern the species to which those mother plants belong.

Amendment 274
Proposal for a regulation
Annex II – Part C – paragraph 1 – point B – point i

Text proposed by the Commission	*Amendment*
(i) In the case of multiclonal mixtures, the mixture of selected clones constituting the multiclonal mixture shall be made before the final packaging of that PRM and shall include identical proportions of all selected clones that constitute the multiclonal mixture.	***deleted***

Amendment 275
Proposal for a regulation
Annex II – Part C – paragraph 1 – point B – point j

Text proposed by the Commission	*Amendment*
(j) In the case of polyclonal PRM, the mixture of genotypes constituting the polyclonal PRM shall be made before the final packaging of that PRM and shall include identical proportions of all genotypes that constitute the polyclonal PRM.	***deleted***

Amendment 276
Proposal for a regulation
Annex II – Part C – paragraph 2

Text proposed by the Commission	*Amendment*
2. Requirements for the registration of a selected clone, multiclonal mixture and polyclonal PRM	***deleted***
(a) The applicant shall submit an application to the competent authority indicating:	
(i) species and, as applicable, variety to which the selected clone, multiclonal mixture or polyclonal PRM belongs, whereby the variety shall be registered in a national variety register referred to in Article 44;	
(ii) proposed denomination and synonyms;	
(iii) where applicable, description of the composition of the multiclonal mixture or polyclonal PRM;	
(iv) the maintainer of the selected clone, multiclonal mixture or polyclonal PRM;	
(v) reference to the description of the main characteristics of the variety to which the selected clone, multiclonal mixture or polyclonal PRM belongs;	
(vi) description of the main VSCU characteristics of the selected clone, multiclonal mixture or polyclonal PRM;	
(vii) the estimated genetic gain of the selected clone, multiclonal mixture or polyclonal PRM in relation to the overall performance of the relevant variety;	
(viii) information on whether the selected clone, multiclonal mixture or polyclonal PRM is already registered in a register of another Member State.	
(b) The selected clone, multiclonal	

mixture or polyclonal PRM shall fulfil the following requirements as appropriate for the type of material concerned in order to be registered:

(i) the polyclonal PRM shall be selected in a single field trial containing a representative sample of the overall genetic diversity of the variety according to an experimental design based on internationally accepted methods. In the case of polyclonal PRM of vine that design shall be based on methods prescribed by the International organisation of vine and wine;

(ii) in the case of vine propagating material, the polyclonal PRM shall be composed of 7 to 20 distinct genotypes;

(iii) the trueness of the selected clone, each selected clone of the multiclonal mixture, each genotype of the polyclonal PRM to the identity of the variety shall be ensured through the observation of the phenotypic characteristics and, where appropriate, through molecular analysis pursuant to internationally accepted standards.

The competent authority shall decide on the registration only after it concludes that the points (i) - (iii) as applicable for the type of material are fulfilled.

(c) The requirements for the marketing of pre-basic, basic and certified material as set out in Part B point 2 shall apply accordingly.

Amendment 277
Proposal for a regulation
Annex II – Part D – title

Text proposed by the Commission	*Amendment*
REQUIREMENTS FOR THE PRODUCTION	REQUIREMENTS FOR THE PRODUCTION

AND MARKETING OF PRE-BASIC, BASIC AND CERTIFIED SEED OF FRUIT PLANTS, VINE AND ***SEED*** POTATOES	AND MARKETING OF PRE-BASIC, BASIC AND CERTIFIED SEED OF FRUIT PLANTS, VINE AND POTATOES

Amendment 278
Proposal for a regulation
Annex II – Part D – paragraph 1 – introductory part

Text proposed by the Commission	*Amendment*
Requirements for the production of pre-basic, basic and certified seed of fruit plants, vine and ***seed*** potatoes	Requirements for the production of pre-basic, basic and certified seed of fruit plants, vine and potatoes

Amendment 279
Proposal for a regulation
Annex III – Part A – paragraph 1 – point B – point d

Text proposed by the Commission	*Amendment*
(d) The mother plants shall be maintained in all phases of production, under conditions to enable the production of seeds, and permitting their identification and verification of compliance with the official description of their variety.	(d) The mother plants shall***, where applicable,*** be maintained in all phases of production, under conditions to enable the production of seeds, and permitting their identification and verification of compliance with the official description of their variety.

Amendment 280
Proposal for a regulation
Annex III – Part B – title

Text proposed by the Commission	*Amendment*
REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF STANDARD MATERIAL OF AGRICULTURAL AND	REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF STANDARD MATERIAL OF AGRICULTURAL AND VEGETABLE SPECIES***, FRUIT PLANTS AND***

VEGETABLE SPECIES	***VINE***

Amendment 281
Proposal for a regulation
Annex III – Part B – paragraph 1

Text proposed by the Commission	*Amendment*
With the exception of point (b)(i) thereof, Part B of Annex ***II*** shall apply accordingly for the production and marketing of standard material.	***Part A*** of Annex ***III*** shall apply accordingly for the production and marketing of standard material***, including for conservation varieties placed on the market in accordance with Article 26***.

Amendment 282
Proposal for a regulation
Annex III – Part B – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	Vine rootstocks may not be marketed as standard material.

Amendment 283
Proposal for a regulation
Annex III – Part C – title

Text proposed by the Commission	*Amendment*
REQUIREMENTS FOR THE ***REGISTRATION,*** PRODUCTION AND MARKETING OF ***SELECTED CLONES, MULTICLONAL MIXTURES AND*** POLYCLONAL PRM ***OF STANDARD MATERIAL*** AS REFERRED TO IN ARTICLE 9 (1)	REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF POLYCLONAL PRM AS REFERRED TO IN ARTICLE 9 (1)

Amendment 284
Proposal for a regulation
Annex III – Part C – paragraph 1

Text proposed by the Commission	*Amendment*
Vine rootstocks may not be marketed as standard material.	***1. Planting*** ***Part C, point 1 of Annex II shall apply accordingly to the planting of polyclonal PRM***.

Amendment 285
Proposal for a regulation
Annex III – Part C – paragraph 2

Text proposed by the Commission	*Amendment*
Part C of Annex II shall ***apply accordingly for the registration***, production ***and marketing of selected clones, multiclonal mixtures and polyclonal PRM of standard material***.	***2. Field cultivation:*** ***(a) During all stages of cultivation, propagating and planting material*** shall ***be kept separate from each other.*** ***(b) Off-types and deformed or damaged plants shall be disposed of at all stages of cultivation in order to ensure varietal identity and purity, or, in the case of rootstocks not belonging to a variety***, ***trueness to the identity of the species, as well as deformed or damaged plants and for efficient production.*** ***(c) The respective mother plants shall be excluded as a source of PRM in the case of defects.*** ***(d) The respective mother plants shall be maintained in all phases of cultivation, under conditions to enable the*** production ***of PRM, and to permit their identification***

and verification of compliance with the official description or the officially recognised description of their variety.

(e) Mother plants shall be inspected visually at their relevant growth stage(s), at the relevant frequency and with the relevant methods as appropriate for the genera or species concerned.

Amendment 286
Proposal for a regulation
Annex III – Part C – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. Requirements for the marketing of polyclonal PRM
	The material shall fulfil all of the following requirements, depending on the characteristics of each genus or species concerned:
	(a) have minimum vigour, defined dimension, and, where applicable, specific grading, to ensure the appropriateness of the material and sufficient homogeneity of the lot for planting;
	(b) be practically free from specific defects;
	(c) the mixture of genotypes constituting the polyclonal PRM shall be made before the final packaging of that PRM and shall include identical proportions of all genotypes that constitute the polyclonal PRM; however, a tolerance is admissible, the frequency of any single genotype shall never exceed twice that of the least frequent genotype.

Amendment 287
Proposal for a regulation
Annex III – Part D – title

Text proposed by the Commission	*Amendment*
REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF STANDARD SEED OF FRUIT PLANTS, VINE AND ***SEED*** POTATOES	REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF STANDARD SEED OF FRUIT PLANTS, VINE AND POTATOES

Amendment 288
Proposal for a regulation
Annex III – Part D – paragraph 1

Text proposed by the Commission	*Amendment*
Part D of Annex II shall apply accordingly for the production and marketing of standard seed of fruit plants, vine and ***seed*** potatoes.	Part D of Annex II shall apply accordingly for the production and marketing of standard seed of fruit plants, vine and potatoes.

Amendment 289
Proposal for a regulation
Annex IV a (new)

Text proposed by the Commission

Amendment

ANNEX IVa
SPECIES WHICH MAY BE PRODUCED AND MARKETED AS COMMERCIAL SEED
Arachis hypogaea L.
Biserrula pelecinus
Brassica nigra (L.) W.D.J. Koch
Cynodon dactylon L.

Festuca trachyphylla (Hack.) Krajina)
Festuca filiformis Pour
Hedysarum coronarium L.
Lathyrus cicera
Medicago × varia T. Martyn Sand
Medicago doliata Carmingn
Medicago italica (Mill.) Fiori
Medicago littoralis
Medicago murex
Medicago polymorpha
Medicago rugosa
Medicago scutellata
Medicago truncatula
Medicago x varia Martyn Sand
Onobrychis viciifolia Scop
Ornithopus compressus
Ornithopus sativus
Phalaris aquatica L.
Plantago lanceolata
Poa annua
Poa nemoralis
Trifolium fragiferum
Trifolium glanduliferum
Trifolium hirtum
Trifolium isthmocarpum
Trifolium michelianum
Trifolium squarrosum
Trifolium subterraneum
Trifolium vesiculosum
Trigonella foenum-graecum L.
Vicia bengahalensis L.
Vicia pannonica Crantz
xFestulolium Asch. & Graebn.

Amendment 290
Proposal for a regulation
Annex V – subheading 1

Text proposed by the Commission	*Amendment*
1. ***Source area***	1. ***Region of origin***

Amendment 291
Proposal for a regulation
Annex V – subheading 1 – paragraph 1

Text proposed by the Commission	*Amendment*
Competent authorities may designate specific ***source areas*** for the preservation mixtures, with which such mixtures are naturally associated. For that purpose, they shall take into account information from plant genetic resource authorities or organisations recognised for this purpose by the Member States.	Competent authorities may designate specific ***regions of origin*** for the preservation mixtures, with which such mixtures are naturally associated. For that purpose, they shall take into account information from plant genetic resource authorities or organisations recognised for this purpose by the Member States.

Amendment 292
Proposal for a regulation
Annex V – subheading 1 – paragraph 2

Text proposed by the Commission	*Amendment*
Where the ***source area*** is located in more than one Member State, it shall be identified by a common agreement of all Member States concerned.	Where the ***region of origin*** is located in more than one Member State, it shall be identified by a common agreement of all Member States concerned.

Amendment 293
Proposal for a regulation
Annex V – subheading 2 – paragraph 1 – point a

Text proposed by the Commission	*Amendment*
(a) typical for the habitat type of the ***source area***;	(a) typical for the habitat type of the ***region of origin***;

Amendment 294
Proposal for a regulation
Annex V – subheading 2 – paragraph 1 – point c

Text proposed by the Commission	*Amendment*
(c) adequate for the purpose of recreating the habitat type of the ***source area***.	(c) adequate for the purpose of recreating the habitat type of the ***region of origin***.

Amendment 295
Proposal for a regulation
Annex V – subheading 2 – paragraph 3

Text proposed by the Commission	*Amendment*
The maximum content of Rumex spp., other than Rumex acetosella and Rumex maritimus, shall not exceed 0,05 % by weight.	The maximum content of Rumex spp., other than Rumex acetosella and Rumex maritimus, ***Rumex acetosa, R. thyrsiflorus and R. sanguineus*** shall not exceed 0,05 % by weight.

Amendment 296
Proposal for a regulation
Annex V – subheading 3 – paragraph 2 – point c

Text proposed by the Commission	*Amendment*
(c) components as species and, where relevant, subspecies ***and varieties*** of the preservation mixture; which are typical for the habitat type of the ***source area site*** and which are, as components of the mixture, of importance for the preservation of the natural environment in the context of the conservation of genetic resources;	(c) components as species and, where relevant, subspecies of the preservation mixture; which are typical for the habitat type of the ***region of origin*** and which are, as components of the mixture, of importance for the preservation of the natural environment in the context of the conservation of genetic resources;

Amendment 297
Proposal for a regulation
Annex V – subheading 3 – paragraph 2 – point d

Text proposed by the Commission	*Amendment*
(d) quantity of the mixture to which the authorisation is to apply;	***deleted***

Amendment 298
Proposal for a regulation
Annex V – subheading 3 – paragraph 2 – point e

Text proposed by the Commission	*Amendment*
(e) ***source area*** of the mixture;	(e) ***region of origin*** of the mixture;

Amendment 299
Proposal for a regulation
Annex V – subheading 3 – paragraph 2 – point g

Text proposed by the Commission	*Amendment*
(g) habitat type of the ***source area*** of	(g) habitat type of the ***region of origin***

the mixture; and	of the mixture; and

Amendment 300
Proposal for a regulation
Annex V – subheading 3 – paragraph 3

Text proposed by the Commission	*Amendment*
The application shall be accompanied by the information necessary to verify compliance with requirements set out in ***point*** 4 in the case of directly harvested preservation mixtures, or ***point*** 5 in the case of multiplied preservation mixtures.	The application shall be accompanied by the information necessary to verify compliance with requirements set out in ***paragraph*** 4 in the case of directly harvested preservation mixtures, or ***paragraph*** 5 in the case of multiplied preservation mixtures.

Amendment 301
Proposal for a regulation
Annex V – subheading 3 – paragraph 5

Text proposed by the Commission	*Amendment*
Professional operators ***before the beginning*** of each ***production season*** shall notify the quantity of ***seed of*** preservation mixtures***, for which the authorisation is intended, together with size and location of the intended collection site or sites and the date or dates of collection***.	Professional operators ***at the end*** of each ***calendar or fiscal year, as appropriate,*** shall notify the quantity of ***authorised*** preservation mixtures ***to the competent authority***.

Amendment 302
Proposal for a regulation
Annex V – subheading 4 – paragraph 1 – point a

Text proposed by the Commission	*Amendment*
(a) a seed mixture that has been collected at the ***source area*** ('directly harvested preservation mixture') shall be collected at a site which has not been	(a) a seed mixture that has been collected at the ***region of origin*** ('directly harvested preservation mixture') shall be collected at a site which has not been

sown in the 40 years previous to the date of the authorisation;	sown in the 40 years previous to the date of the authorisation;

Amendment 303
Proposal for a regulation
Annex V – subheading 5 – paragraph 1 – point a

Text proposed by the Commission	*Amendment*
(a) seed of individual species is taken at the ***source area***, or is a directly harvested preservation mixtures purchased to other operator;	(a) seed of individual species is taken at the ***region of origin***, or is a directly harvested preservation mixtures purchased to other operator;

Amendment 304
Proposal for a regulation
Annex V – subheading 5 – paragraph 1 – point b

Text proposed by the Commission	*Amendment*
(b) the seed referred to in point (a) is multiplied outside the source area as single species. Multiplication may take place for five generations;	***deleted***

Amendment 305
Proposal for a regulation
Annex V – subheading 5 – paragraph 1 – point d

Text proposed by the Commission	*Amendment*
(d) this mixture may also include seed from species listed in Part A of Annex I that has been produced conventionally, if it complies with point (c);	***deleted***

Amendment 306
Proposal for a regulation
Annex V – subheading 5 – paragraph 1 – point h

Text proposed by the Commission	*Amendment*
(h) the maximum content of species and, where relevant, subspecies which do not comply with point ***(g)*** shall not exceed 1 % by weight;	(h) the maximum content of species and, where relevant, subspecies which do not comply with point ***(f)*** shall not exceed 1 % by weight;

Amendment 307
Proposal for a regulation
Annex VI – point A – paragraph 2

Text proposed by the Commission	*Amendment*
The notification shall be sent by registered letter or by any other means of communication accepted by the competent authorities with confirmation of receipt requested. Three months after the date shown on the return receipt provided that no additional information was requested or that non formal refusal for reasons of incompleteness of the notification was communicated to the supplier, the competent authority shall be deemed to have acknowledged the notification and its content, and the heterogeneous material shall be included in the heterogeneous material register.	The notification shall be sent by registered letter or by any other means of communication accepted by the competent authorities with confirmation of receipt requested. Three months after the date shown on the return receipt provided that no additional information was requested or that non formal refusal for reasons of incompleteness of the notification was communicated to the supplier, the competent authority shall be deemed to have acknowledged the notification and its content, and the heterogeneous material shall be included in the heterogeneous material register. ***That register shall remain free of charge to the official operator.***

Amendment 308
Proposal for a regulation
Annex VI – point B – point 2 – introductory part

Text proposed by the Commission	*Amendment*
2. The heterogeneous material may ***be generated by*** one of the following techniques:	2. The heterogeneous material may ***originate from*** one of the following techniques:

Amendment 309
Proposal for a regulation
Annex VI – point D – point 1 – paragraph 1

Text proposed by the Commission	*Amendment*
PRM of heterogeneous material shall comply with ***the*** requirements for the analytical purity and germination requirements for seed and the quality requirements for other material ***of the lowest category for the respective species***.	PRM of heterogeneous material shall comply with requirements ***equal to those set for the lowest category for the respective species including requirements set for the species listed in Annex IV*** for the analytical purity and germination requirements for seed and the quality requirements for other material.

Amendment 310
Proposal for a regulation
Annex VI – point H – table - row 2

Text proposed by the Commission

Fodder plants	***10***

Amendment

deleted	***deleted***

Amendment 311
Proposal for a regulation
Annex VII – paragraph 1 – point g

Text proposed by the Commission	*Amendment*
(g) in the case of varieties ***with*** officially recognised description and, if appropriate, an indication of the region(s), where the variety has ***historically*** been grown and to which it is ***naturally*** adapted ***('region(s) of origin')***;	(g) in the case of ***conservation*** varieties***, an*** officially recognised description and, if appropriate, an indication of the region(s), where the variety has ***traditionally*** been grown and***, in the case of newly-bred conservation varieties,*** to which ***local growing conditions*** it is adapted;

Amendment 312
Proposal for a regulation
Annex VII – paragraph 1 – point t

Text proposed by the Commission	*Amendment*
(t) where applicable, indication that the variety has certain characteristics, ***other than the one referred to in point (s),*** and indication of the applicable cultivation conditions.	(t) where applicable, indication that the variety has certain characteristics ***that may lead to undesirable agronomic effects*** and indication of the applicable cultivation conditions***;***

Amendment 313
Proposal for a regulation
Annex VII – paragraph 1 – point t a (new)

Text proposed by the Commission	*Amendment*
	(ta) where applicable, the respective intellectual property rights covering the variety, its components, characteristics and development process, including, where applicable and appropriate, the number of any relevant granted or pending patent(s) which the competent authority needs to provide and update;

Amendment 314
Proposal for a regulation
Annex VII – paragraph 1 – point t b (new)

Text proposed by the Commission	*Amendment*
	(tb) where applicable, a description of which breeding techniques have been applied for the development of the variety.

Amendment 315
Proposal for a regulation
Annex VII a (new)

Text proposed by the Commission	
Amendment	
Annex VIIa	
MAXIMUM QUANTITIES FOR DYNAMIC CONSERVATION	
The quantity applies per natural or legal person, year and variety/accession/ecotype/plant genetic resource.	
Species	***Maximum net mass (kg)***
Fodder plants	***20***
Beet	***20***
Cereals	***200***
Oil and fibre plants	***20***
Potato	***1000***
Vegetable:	
Legumes	***75***
Onions, chervil, asparagus, spinach beet or chard, red beet or beetroot, turnips, water melon, gourd, marrows, carrots, radishes, scorzonera or black salsify, spinach, corn-salad or lamb's lettuce	***1***
All other vegetable seed	***0,5***
Vegetatively propagated vegetables	***500 plants***
Fruit and vine propagating material	***150 stocks***