

## Regulation of PRM in the EU

The current PRM legislation is composed of 12 directives with some dating back to the 1960s. It defines common rules for the marketing of PRM in the EU.

	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* The current rules are outdated, fragmented and incoherent	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Marketing of PRM needs to be governed at EU level to ensure identity (e.g. 100% of seed purchased produces red tomatoes instead of green tomatoes), quality (e.g. germination rate) and health (absence of pests) of PRM	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* The current rules have enabled the free movement, availability and quality of PRM on the EU market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* PRM rules should contribute to addressing biodiversity loss and climate change adaptation and mitigation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* PRM rules should facilitate the availability on the EU market of traditional varieties (e.g. conservation varieties)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* PRM rules should facilitate the availability on the EU market of varieties adapted to local conditions (e.g. climatic conditions, cultural or historical significance)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* Lighter rules facilitating the availability on the EU market of varieties adapted to local conditions and traditional varieties should not compromise the quality of PRM marketed in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
New varieties should contribute to sustainable agriculture and food production through, for example, efficient water and nutrient use or disease resistance	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* New varieties should be climate proof (e.g. adapted to extreme weather conditions, drought tolerant)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* A wider choice of PRM intended for exclusive marketing to amateur gardeners should not compromise its quality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

The questionnaire continues with questions on specific aspects of the PRM legislation, addressed to stakeholders with expert knowledge of this legislation. Do you wish to respond to these questions as well?

- No
- Yes, continue to the questionnaire on plant reproductive material (PRM) only
- Yes, continue to the questionnaire on forest reproductive material (FRM) only
- Yes, continue to questionnaire on both plant and forest reproductive material

### **Scope of marketing activities**

The current rules apply to the marketing of PRM to all types of users, including professional users, farmers, foresters and amateur gardeners. They also apply to activities such as the exchange of PRM in kind between farmers and marketing for non-profit purposes by seed conservation networks.

	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* The rules should apply to the marketing of PRM to all kinds of users with no exceptions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* The rules should not apply to marketing to amateur gardeners	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Lighter rules should apply to the marketing of PRM for non-profit					

purposes by seed conservation networks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Marketing of PRM for non-profit purposes by seed conservation networks should be exempted from the scope of the PRM legislation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Lighter rules should apply to the exchange in kind of PRM between farmers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Exchange in kind of PRM between farmers should be exempted from the scope of the PRM legislation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Alignment of the rules

	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* Lack of alignment between the existing directives (e.g. differences in definitions) leads to uneven implementation and application of the rules	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Coherence of the legislation could be best improved by aligning the structure and definitions of the 12 PRM directives, but retaining them as separate policy instruments	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Coherence of the legislation could be best improved by merging policy instruments according to crop groups (e.g. agricultural species)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Coherence of the legislation could be best improved by merging policy instruments according to the type of material (seeds, PRM other than seeds and FRM)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Coherence of the legislation could be best improved by creating a single policy instrument with different chapters per crop group	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

The current legislation allows Member States to adopt exemptions or deviate from certain rules. They have used these possibilities in different ways.

	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* Exemptions and deviations have caused unequal conditions for the marketing of PRM across Member States	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Different implementation by Member States of the derogations as regards the registration of traditional varieties have caused unequal conditions for operators across Member States	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Derogations from the EU rules in relation to the quality of PRM (e.g. identity, germination rate and absence of pests) should be kept to a strict minimum	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Member States should continue to be allowed to lay down stricter rules at national level	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

## Regulated species

The current legal framework includes lists of species to which EU rules apply (EU-regulated species) but does not specify the criteria for amending these lists.

	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* The number of EU-regulated species should be reduced (e.g. only cover economically important species)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* The number of EU-regulated species should be increased to cover more comprehensively the species marketed in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Criteria should be established for deciding which species should be regulated (e.g. market volume, production area)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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The procedure for adding new species to the list of EU-regulated species should be harmonised for all crop groups	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* The scope of the PRM legislation should only cover plant species and not their intended use (e.g. regulation of soybean irrespective of its potential use as oil or vegetable plant)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Common catalogues

Currently agricultural and vegetable crop varieties should be listed first in a national catalogue and then in the Common catalogues before they are allowed to be marketed in the EU.

	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* Direct notification of registered varieties by Member States to the EU Common catalogues without a Commission decision would speed up market access for these varieties throughout the EU.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Heterogeneous material and organic varieties

The [Organic Regulation](#) laid down rules for organic heterogeneous material intended for organic production. This is a new category of material that is highly diverse and it is not a variety nor is it a mixture of varieties. Furthermore, the Commission is preparing temporary derogations for the marketing of organic varieties suitable for organic production.

	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* There is a need to also establish rules for the marketing of heterogeneous material intended for non-organic production	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* There should be dedicated permanent rules for the marketing of organic varieties suitable for organic production	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Plant genetic resources

In order to ensure conservation and sustainable use of plant genetic resources, the current rules foresee derogations from the production and marketing requirements for:

- Conservation varieties, including landraces of agricultural and vegetable crops;
- Vegetable crop varieties with no intrinsic value for commercial crop production but that have been developed for growing under particular conditions

	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* These derogations have been successful in promoting the conservation and sustainable use of plant genetic resources	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Different implementation of these derogations by Member States has created unequal conditions for operators across Member States	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* There should be lighter rules for these varieties regarding the marketing conditions (e.g. registration and certification)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Similar derogations should be introduced for locally produced varieties adapted to local agro-ecological conditions and intended for local marketing	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Sustainability

Agricultural crops are currently tested for their value for cultivation and use (VCU) as regards yield, quality and resistance to pests and adverse environmental conditions. The current PRM legislation does not include any further rules and Member States implement VCU tests in different ways. Furthermore, agricultural crops are not explicitly tested for their contribution to more sustainable agri-food production (i.e. 'sustainable VCU'). There is scope to further align the PRM legislation with the objectives of the [European Green Deal](#), [Farm to Fork Strategy](#) and [EU Adaptation Strategy](#) in this regard.

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	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* The PRM legislation should harmonise VCU testing among Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* There should be no mandatory VCU testing as the variety characteristics should be driven by market demand	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* VCU testing should be extended to include testing of varieties for their contribution to the sustainability of the agri-food chain (sustainable VCU, e.g. water and nutrient use efficiency)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* The PRM legislation should contain a set of general sustainability criteria that Member States can apply taking into account their agro-ecological conditions	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Harmonisation of official controls

The current PRM legislation contains only a few general requirements for official controls, which results in differences of control and enforcement across Member States. Furthermore, it is not included in the scope of the [Official Controls Regulation](#) (OCR). The OCR establishes harmonised rules on official controls across the agri-food chain, including for plant health, organic production and GMOs, while allowing adaptation to sector-specific rules (e.g. no border check system for certain sectors, possibility to exempt certification activities from the scope of the OCR). The OCR includes general principles as regards official controls (e.g. import and marketing controls), rules for competent authorities, IT systems and training to facilitate official controls.

	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* Further harmonisation of the rules on official controls for PRM would create a level playing field for operators across Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Further harmonisation of the rules on official controls for PRM would increase the efficiency and effectiveness of these control activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
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Further harmonisation of import controls would improve the quality of PRM imported from third countries and marketed in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Full harmonisation of import controls of PRM through checks at border control posts, fees for those controls and special import documentation would improve the quality of PRM imported from third countries and marketed in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* The use of infrastructure established under the OCR (e.g. IT systems, EU reference centres and training) would increase the efficiency and efficacy of official controls on PRM	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Inclusion in the scope of the OCR would increase administrative burdens for competent authorities as regards marketing and import controls	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## **Innovative processes and digital transformation**

	Agree	Somewhat agree	Somewhat disagree	Disagree	No opinion
* The rules should be able to adapt faster to innovations in PRM production processes (e.g. true potato seed) and to scientific and technological developments (e.g. biomolecular techniques in variety testing and certification)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* The rules should allow digital processes (e.g. e-certificates)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

## **Do you have any specific proposals for changing the PRM legislation?**

*500 character(s) maximum*

We have been happy to be part of the Danish interpretation of the EU Seed Legislation since 2015. We are alarmed to see the negative impact of the current restrictive seed laws on diversity and informal seed networks in other EU-countries, and we do hope that you will follow the Danish path – or even further - into a new and more liberal legislation. We urgently need greater agrobiodiversity to ensure future food security and biodiversity.