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#### **COVER NOTE**

From: The Senate of Romania  date of receipt: 13 December 2023  To: The President of the Council of the European Union  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)  [11502/23 + ADD 1 - COM(2023) 414 final]  - Opinion on the application of the Principles of Subsidiarity and Proportionality		
To: The President of the Council of the European Union  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)  [11502/23 + ADD 1 - COM(2023) 414 final]  - Opinion on the application of the Principles of Subsidiarity and	From:	The Senate of Romania
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Delegations will find enclosed the opinion<sup>1</sup> of the Senate of Romania on the above proposal followed by a courtesy English translation.

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<sup>&</sup>lt;sup>1</sup> The translation(s) of the opinion may be available on the Interparliamentary EU Information Exchange website (IPEX) at the following address: <a href="https://secure.ipex.eu/IPEXL-WEB/document/COM-2023-0411">https://secure.ipex.eu/IPEXL-WEB/document/COM-2023-0411</a>



## Parlamentul României Senat

București, 07 decembrie 2023

### OPINIA SENATULUI ROMÂNIEI

Propunerea de Regulament al Parlamentului European și al Consiliului privind producția și comercializarea materialului de reproducere a plantelor în Uniune, de modificare a Regulamentelor (UE) 2016/2031, 2017/625 și 2018/848 ale Parlamentului European și ale Consiliului și de abrogare a Directivelor 66/401/CEE, 66/402/CEE, 68/193/CEE, 2002/53/CE, 2002/54/CE, 2002/55/CE, 2002/56/CE, 2002/57/CE, 2008/72/CE și 2008/90/CE ale Consiliului (Regulamentul privind materialul de reproducere a plantelor)

COM(2023) 414 final

Senatul României a examinat Propunerea de Regulament al Parlamentului European și al Consiliului privind producția și comercializarea materialului de reproducere a plantelor în Uniune, de modificare a Regulamentelor (UE) 2016/2031, 2017/625 și 2018/848 ale Parlamentului European și ale Consiliului și de abrogare a Directivelor 66/401/CEE, 66/402/CEE, 68/193/CEE, 2002/53/CE, 2002/54/CE, 2002/55/CE, 2002/56/CE, 2002/57/CE, 2008/72/CE și 2008/90/CE ale Consiliului (Regulamentul privind materialul de reproducere a plantelor) - COM(2023) 414 final – în conformitate cu prevederile Tratatului de la Lisabona, Protocolul (nr. 2).

Având în vedere raportul Comisiei pentru Afaceri Europene, plenul Senatului, în ședința din data de 05 decembrie 2023.

- (1) Constată că Propunerea de Regulament al Parlamentului European și al Consiliului privind producția și comercializarea materialului de reproducere a plantelor în Uniune, de modificare a Regulamentelor (UE) 2016/2031, 2017/625 și 2018/848 ale Parlamentului European și ale Consiliului și de abrogare a Directivelor 66/401/CEE, 66/402/CEE, 68/193/CEE, 2002/53/CE, 2002/54/CE, 2002/55/CE, 2002/56/CE, 2002/57/CE, 2008/72/CE și 2008/90/CE ale Consiliului (Regulamentul privind materialul de reproducere a plantelor) COM(2023) 414 final al respectă principiul subsidiarității, dar nu respectă principiul proporționalității.
- (2) Consideră și atrage atenția că:
  - i. armonizarea bruscă a legislației privind producția și comercializarea materialului de reproducere a plantelor în Uniune poate crea condiții de concurență inechitabile pentru anumite categorii de operatorii profesioniști în întreaga Uniune;

- ii. sunt necesare clarificări cu privire la consecințele armonizării cadrului juridic;
- iii. noile tehnici genomice (NTG-urile) reprezintă o provocare care necesită discutii ample și o atenție sporită;
- iv. poziția Comisiei pentru afaceri europene privind prezenta propunere de regulament este în continuarea argumentelor cuprinse în Opinia Senatului României cu privire la Propunerea de Regulament al Parlamentului European și Consiliului privind plantele obținute prin anumite noi tehnici genomice și alimentele și furajele derivate din ele, și de modificare a Regulamentului (UE) 2017/625 COM (2023) 411 final<sup>1</sup>.
- (3) Solicită Comisiei Europene clarificări cu privire la consecințele de ordin comercial internațional, respectiv accesul noii categorii de produse NGT1 pe piețele terțe (echivalarea categoriilor de produse NGT1 pe aceste piețe și protejarea culturilor convenționale) având în vedere interesul României în păstrarea piețelor tradiționale de export cereale din zona Orientului Mijlociu, Turcia etc.

p. Președintele Senatului Sorin-Mihai C<u>ÎM</u>PEANU

<sup>&</sup>lt;sup>1</sup> Hotărârea 141/2023 referitoare la propunerea de Regulament al Parlamentului European și al Consiliului privind plantele obținute prin anumite noi tehnici genomice și alimentele și furajele derivate din ele și de modificare a Regulamentului (UE) 2017/625 - COM (2023) 411 final



## Parlamentul României Senat

Bucharest, December 07, 2023

**Courtesy translation** 

# OPINION of the SENATE of ROMANIA

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) 414 final

The Romanian Senate examined 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) 414 final – according to the provisions of the Treaty of Lisbon, Protocol (no. 2).

Taking into account the report of the Committee on European Affairs, the Plenary of the Senate, during its session of December 05, 2023,

(1) Notes that 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) 414 final—respects the subsidiary principles, but does not comply with the proportionality principles.

- (2) Considers and draws attention that:
  - i. the sudden harmonization of legislation on the production and marketing of plant reproductive material in the Union may create unfair competition conditions for certain categories of professional operators throughout the Union;
  - ii. clarifications are needed regarding the consequences of the harmonization of the legal framework;
  - iii. new genomic techniques (NTGs) represent a challenge that requires extensive discussion and increased attention;
  - iv. the position of the Commission for European Affairs regarding this proposal for a regulation is in continuation of the arguments contained in the Opinion of the Senate of Romania regarding the Proposal for a Regulation of the European Parliament and the Council regarding plants obtained through certain new genomic techniques and food and feed derived from them, and amending Regulation (EU) 2017/625 (COM (2023) 411 final<sup>1</sup>.
- (3) Asks the EU Commission clarifications regarding the international commercial consequences, namely the access of the new NGT1 product category to third markets (equalization of the NGT1 product categories on these markets and the protection of conventional crops) considering Romania's interest in preserving the traditional grain export markets from the Orient Middle, Turkey etc.

<sup>&</sup>lt;sup>1</sup> Decision 141/2023 on the proposal for a Regulation of the European Parliament and of the Council on plants obtained through certain new genomic techniques and food and feed derived from them and amending Regulation (EU) 2017/625 - COM (2023) 411 final