



Council of the European Union  
General Secretariat

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**Interinstitutional files:  
2023/0227 (COD)**

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**Brussels, 08 October 2025**

**WK 13256/2025 INIT**

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## **INFORMATION**

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**From:** General Secretariat of the Council  
**To:** Working Party on Genetic Resources and Innovation in Agriculture (Seeds, Propagating and Planting Materials)

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**Subject:** Meeting of the Working Party on Genetic Resources and Innovation in Agriculture (Seeds, Propagating and Planting Materials; PRM) on 6 and 7 November 2025 - Comments from Greece on Articles 7, 9a, 30 and on the issue of registration of selected clones and polyclonal material

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Delegations will find in the annex comments from Greece on Articles 7, 9a, 30 and on the issue of registration of selected clones and polyclonal material.

**AOB for the meeting of the Working Party on Genetic Resources and Innovation in Agriculture (Seeds, Propagating and Planting Materials) on 6 and 7 November 2025**

Dear colleagues,

In view of the next meeting on 6 and 7 November, please find below some comments from Greek delegation, regarding articles 7, 9a, 30 and the registration of selected clones and polyclonal material in national registers.

- To be consistent with the rest of the text regarding the production and marketing of selected clones and polyclonal material, we propose the following amendments in points (g) and (ga) of paragraph 3 of article 7 (with red colour).

*“Article 7*

**Requirements for the production and marketing of pre-basic, basic and certified seed and material**

3. The Commission is empowered to adopt delegated acts in accordance with Article 75, in order to amend Annex II. Those amendments shall adapt **that** Annex to the **scientific and technical** developments of **applicable international** standards, and **shall** concern requirements for **one or more of** the following **elements**:

(g) production of pre-basic, basic and certified material of ~~clones~~, selected clones and polyclonal ~~PRM material~~;

(ga) marketing of pre-basic, basic and certified material of ~~clones~~,—selected clones and polyclonal ~~mixtures PRM material~~.”.

- We apologise, that we are coming back to an article that is closed during the October’s meeting, but we strongly opposed to the provision proposed by Austria, Germany, Estonia, Finland, Latvia, Lithuania, Portugal and Sweden and the amendments made in paragraphs 3 and 5b of article 9a of the PRM proposal. Although in the OECD Seed Schemes rules is provided the conduct of control plot tests under official supervision by the NDA, in the current marketing Directives is not. In addition, the control plot tests are carried out in prebasic, basic and certified seed lots after their certification and **not before** during the processing of the seed lots, where we allowed the sampling and laboratory analysis officially or under official supervision. The seed lots of prebasic, basic and certified 1<sup>st</sup> generation categories are intended for further multiplication **and are marketed** to the seed producers (farmers who sowing the seed producing crops).

The seed lots of certified 2<sup>nd</sup> generation category intended **only for marketing to farmers and shall be sampled only by the competent authorities, according to the last sentence of paragraph 3.** We think that we have to differentiate two cases: a) sampling officially or under official supervision from seed lots, that are intended for certification and b) sampling from already certified seed lots (prebasic, basic and certified categories) for control plot tests. In the first case, it is not sure that all sampled lots will be certified and in the second one (for control plot tests) all the sampled lots are certified (prebasic, basic and certified categories). **For us it is not acceptable to have official or under official supervision sampling in superior categories and to have only official sampling for lower category.** In order to protect the integrity and impartiality of the whole seed production and certification system, we propose to delete the additions made during the meeting of 1 and 2 October (see paragraphs 3 and 5b of article 9a below in red colour).

*“Article 9a (former Article 24)*

#### **Control plot tests for pre-basic, basic and certified seeds**

3. ~~On the basis of the risk analysis referred to in paragraph 2, the control plot tests shall be carried out by using~~ **The samples from of a tested seed lots of seed** referred to in paragraph 1 **shall be** taken by the competent authority, ~~by an authorised sampler under official supervision and authorised by the competent authority. That sampling may be carried out or by~~ using an automatic sampling device officially approved by the competent authority. ~~If samples are taken during marketing, they shall be taken by the competent authority.~~
- 5b. The Commission may, by means of implementing acts in accordance with Article 76(2) set out rules concerning the control plot tests of **lots of pre-basic, basic and certified** seed lots per genera or species. Those rules shall be adapted to the development of scientific and technical knowledge and international standards, and may be established per particular genera, species or category. They may concern the following **elements**:
  - (a) criteria for the conduct of the risk analysis referred to in paragraph 2;
  - (b) the **sampling and** testing procedure;
  - (c) the way of evaluation of **the** results of the tests;

(d) ~~the proportion of the seed lots or the frequency rates.~~”.

- Regarding article 30, we think that it will be useful, if we have a written explanation or a definition of what does it mean “**Seed exchanged in kind between farmers**”. In our understanding this means that farmers can exchange **only** seeds from their own harvest and not seeds with other goods.
- Regarding the registration of selected clones and polyclonal material to the national variety register and according to articles 5 and 5c of Council Directive 68/193/EEC on the marketing of material for the vegetative propagation of the vine, it should be useful to introduce:
  1. provision in article 44 for inclusion of selected clones and polyclonal material in the national variety register, since selected clones and polyclonal material by definition belong to a variety;
  2. amendment of article 56 regarding the content of the application for registration of a variety **or clone**.