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MEETING DOCUMENT

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

Subject:	Informal videoconference of the members of the Working Party on Genetic Resources and Innovation in Agriculture (Seeds, Propagating and Planting Materials) on 15 and 16 October 2024 - Presentation by the Commission services on tertiary legislation
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Following the meeting of the informal videoconference of the Working Party on Genetic Resources and Innovation in Agriculture (Seeds, Propagating and Planting Materials) on 15 and 16 October 2024, delegations will find in annex the presentation given by the Commission services on tertiary legislation/empowerments in the PRM proposal.



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Tertiary legislation

PRM Regulation

15-16 October 2024

This slide deck is for information purposes only. It informally describes the structure of the tertiary legislation that is to come under the new Regulation for production and marketing of PRM as it is set out in the Commission proposal. It does not represent an official position of the Commission.

Empowerments in the PRM Proposal

25
empowerments
for
implementing
acts

16
empowerments
for
delegated
acts

Empowerments needed for the entry into application of the Regulation

- 15 empowerments **for Implementing acts**
- 9 empowerments **for Delegated acts**
- Other empowerments are only to be applied when needed (emergency measures, temporary experiments, amendment of annexes...)
- Most of the tertiary acts will be based on the current specific rules per species, as set out in the Directives and their Annexes and in the current Implementing Directives.

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Implementing Acts

1. Marketing requirements

- Certification requirements of PRM: production and marketing of pre-basic, basic, certified PRM; as well as standard PRM
- Grades of seed potatoes
- Certification under official supervision
- Lots: size, identification, labelling, merging, splitting, recording operations...
- Sealing, size and form of packages
- Seed in bulk
- Label: content, size, colour and form of official and operator's labels

- Size, form and sealing of small packages for PRM for final users

- Seed mixtures: equipment, lot size

2. Registration of varieties

- DUS protocols
- Characteristics of officially recognised description for registering conservation varieties
- Samples sizes, replacement of samples for the reference sample
- Specific requirements for variety registration of organic varieties

3. EU Equivalence for third countries

- Granting EU equivalence to third countries for imports
- Granting EU equivalence to third countries for varietal maintenance

4. Amendment of Plant Health legislation on RNQPs

- Amendment of Implementing Regulation 2019/2072 regarding RNQPs for PRM (Art. 6 & Annexes IV & V)
 - RNQPs & thresholds
 - Measures
 - Derogations

5. Implementing act under OCR

- Conditions on uniform practical arrangements of official controls
 - Market controls on PRM (minimum frequency)
 - Import controls on PRM (minimum frequency)
 - Controls on professional operators (uniform frequency)

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Delegated Acts

1. Registration of varieties

- Additional rules on DUS: requirements on resources, reference collection, tests and BMT.
- Value for sustainable cultivation and use: minimum requirements, methodologies for assessing the characteristics, standards for the evaluation of results and reporting.
- Minimum cultivation conditions
- Suitability of variety denomination

2. Professional operators

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- Procedure for acceptance of professional operators to carry out certification under official supervision.
- Rules for the audit of professional operators' premises for VSCU under official supervision.

3. Marketing rules



- Rules for control plot tests
- Seed hub and digital label

4. Delegated act under OCR

- Requirements for the performance of official controls on:
 - Import
 - Marketing
 - Operators
- Actions taken following the performance of official controls

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Next steps

Next steps



- Initial discussions in SCoPAFF WG once the text is stabilised
- Plan of tertiary acts after final text of the new Regulation (change of empowerments, new empowerments, etc.)

Thank you

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