Marketing of fruit plant propagating material and fruit plants intended for fruit production (repeal. Directive 92/34/EEC). Recast

2007/0014(CNS) - 11/12/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Ioannis **GKLAVAKIS** (EPP-ED), and amended the proposal for a Council directive on the marketing of fruit plant propagating material and fruit plants intended for fruit production (recast version).

The main amendments were as follows:

- Members amended the definition of “clone” to mean the vegetative progeny of a variety of a species of fruit plant which is true to a fruit plant stock chosen on account of varietal identity, its phenotypic characters and its state of health. They also stated that the 'responsible official body' must be charged with carrying out inspections and controls in respect of questions concerning the quality, certification and plant health of propagating material and fruit plants;

spot checks may be made during official inspections;

- in the case of a variety which consists of a genetically modified organism within the meaning of Directive 2001/18/EC the variety shall be accepted for registration in the catalogue only if has been authorised pursuant to that Directive or pursuant to Regulation (EC) No 1829/2003 and subject to the precondition that it will be used as stock onto which the desired variety will be grafted. In the case of a genetically modified variety a special risk assessment shall take place, chiefly regarding human health and the environment, it must be appropriately labelled so that the purchaser is informed that genetically modified material is being supplied and the purpose of genetic modification must be mentioned;

- marketing by officially registered suppliers of propagating material and fruit plants, duly documented, shall be considered an indispensable condition for the inclusion of a producer in co-funded programmes for planting orchards;

- specific requirements for each genus or species may be established with supplementary or more stringent conditions for propagating material and fruit plants, which Member States may lay down for their own domestic production;

- suppliers shall be officially registered in relation to the activities which they carry out under the Directive and shall hold a marketing licence for propagating material, issued as specified in each Member State;

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- a new clause states that suppliers who market propagating material or fruit plants should have a specialisation in this field sector and be agronomists or undertakings employing persons with such specialisations;

- Member States shall ensure and check that suppliers take all the necessary measures to ensure compliance with the standards of this directive at all stages of the production and marketing of propagating material and fruit plants.

Parliament deleted a paragraph stating that the text will not apply to suppliers marketing only to persons not professionally engaged in the production, reproduction or sale of propagating material or fruit plants.

- when propagating material or fruit plants are marketed, suppliers shall keep records of their sales or purchases for at least five years (rather than twelve months);

in the case of propagating material of a variety which has been genetically modified, any label and document, official or otherwise, which is affixed to or accompanies the material under this Directive shall clearly indicate that the variety has been genetically modified and shall name the genetically modified organisms **and clarify the purpose of genetic modification**;

- firms in third countries exporting propagating material and fruit plants shall be registered so as to ensure traceability at all stages

-within five years from the date of entry into force of the Directive, the Commission shall examine the results of its application and submit to the European Parliament and the Council a report accompanied by any necessary proposals for amendments.

- lastly, Member States may, as a transitional measure until 10 years after the entry into force of this directive, allow the marketing in their own territory of certified and CAC material taken from parent plants in existence at the date of entry into force of the Directive.