Community plant variety rights: extension of the term for the species asparagus and the species groups flower bulbs, woody small fruits and woody ornamentals

2021/0019(COD) - 26/05/2021 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Agriculture and Rural Development adopted the report by Bert-Jan RUISSEN (ECR, NL) on the proposal for a regulation of the European Parliament and of the Council on the extension of the term of Community plant variety rights for the species asparagus and the species groups flower bulbs, woody small fruits and woody ornamentals.

The committee recommended that Parliament adopt its position at first reading taking over the Commission's proposal.

The proposal aims to extend the term of protection of Community plant variety rights from 25 to 30 years for the species asparagus, and the species groups flower bulbs, woody small fruits and woody ornamentals, as provided for in Article 19 of Council Regulation (EC) No 2100/94 on Community plant variety rights. The additional five years of protection already exists in the case of vines, trees and potatoes, reflecting the lengthy, complex and costly development process.

In May 2016, after analysing the time needed to obtain, breeding and reaching marketing potential, as well as the life span of the plants compared to other species, the Member States of the Administrative Council of the Community Plant Variety Office (CPVO) unanimously requested that the duration of protection of the species covered by this proposal be extended.

During the consultation which was carried out to obtain feedback, 43 stakeholders presented their views on the proposal. They all welcomed the proposal and underlined the need for the extended protection in order to ensure the development of more robust varieties meeting growers’ and societal demands.

In the explanatory memorandum accompanying the report, the rapporteur stresses the importance of establishing a well-functioning system of plant variety protection that encourages the continued development of new varieties for the benefit of breeders, growers, farmers, consumers and society as a whole.

Given the challenges and the ambitious targets set by the European Green Deal, there will be an urgent need for more robust, disease-resistant and productive varieties that require less water, pesticides and fertilisers, are better adapted to different climatic conditions and help prevent losses in the field and along the chain.

In its resolutions of 2012, 2015 and 2019, Parliament has strongly opposed the patentability of plants and consistently stressed that the Community plant variety rights system is the appropriate protection framework to ensure the continued development of plant breeding.