



CDG ARABLE CROPS - SEEDS

5 March 2024

DG HEALTH AND FOOD SAFETY - PLANT HEALTH UNIT (SANTE.G1)

2.5. Information on member state prescription regarding appropriate cultivation conditions for varieties made herbicide-tolerant under Article 16(2) of Directive 2002/53 on the common catalogue of varieties of agricultural plant species

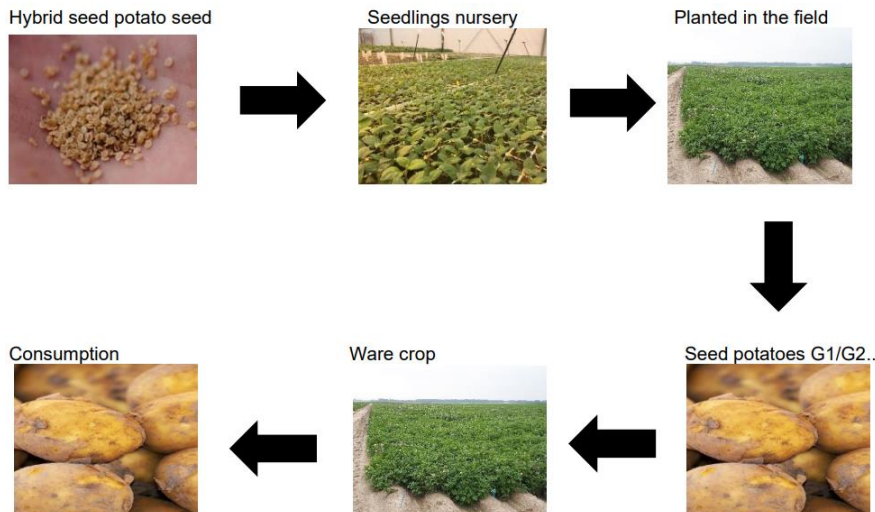
Cultivation conditions for herbicide tolerant varieties (HTV)

- Request by France to set cultivation conditions in the French territory for HTV of sunflower (February 2022)
- Based on decision by French Conseil d'Etat for HTV obtained by *in vivo* mutagenesis
- Discussed at Standing Committee in 2022 and 2023
- CJEU final ruling in February 2023 that *in vitro* and *in vivo* random mutagenesis are exempted from the application of Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms
- The Commission is waiting for France to update its request before taking any further steps

2.6. State of play of temporary experiment (seed potato)

Temporary experiment (seed potato)

- Directive 2002/56: marketing of “seed potatoes” (tubers)
- Decision 2017/547: temporary experiment (2018-2023)
 - Derogation for “experimental tubers” derived from “true potato seed”



Temporary experiment (seed potato)

- Results of temporary experiment (2018-2023):
 - Expectation that DUS protocol (distinctness, uniformity, stability) could be used not confirmed
 - No commercial trading of “experimental tubers” took place
- Next steps:
 - Updated DUS protocol
 - Request for new experiment under consideration

2.7. Plant Reproductive Material: state of play

Revision of the plant and forest reproductive material legislation

- Adoption of PRM and FRM proposals: 5 July 2023;
- Examination of legal proposals in Council and European Parliament ongoing.

European Parliament

- COMAGRI: Rapporteur MEP Dorfmann (EPP)
- COMENVI: Rapporteur MEP Clergeau (S&D)
- Plenary: first reading opinion scheduled for April 2024

Council

- PRM Regulation:
 - ES Presidency: 3 Working Party meetings (5 days)
 - BE Presidency: 4 Working Party meetings (8 days)
 - HU Presidency: continuation
- FRM Regulation:
 - ES Presidency: 2 Working Party meetings (2,5 days)
 - BE Presidency: 3 Working Party meetings (5 days)
 - HU Presidency: continuation