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COVER NOTE

From:	General Secretariat of the Council
date of receipt:	21 February 2020
To:	Delegations

No. prev. doc.:	12783/19
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Subject:	COUNCIL DECISION requesting the Commission to submit a study on the Union's options to update the existing legislation on the production and marketing of plant reproductive material, and a proposal, if appropriate in view of the outcomes of the study
	- Commission's response

Delegations will find attached the Commission's response to the Council's request under Article 241 TFEU, by way of Council Decision (EU) 2019/1905 of 8 November 2019.



Ref. Ares(2020)1118924 - 21/02/2020

MAROŠ ŠEFČOVIĆ

Vice-President of the European Commission

Brussels, 21/02/2020

Dear Mr Grlić Radman,

Please find enclosed the Commission's response to the Council's request under Article 241 TFEU, by way of Council Decision (EU) 2019/1905 of 8 November 2019 requesting the Commission to submit a study on the Union's options to update the existing legislation on the production and marketing of plant reproductive material, and a proposal, if appropriate in view of the outcomes of the study.

Yours sincerely

Cc: Stella Kyriakides, Commissioner for Health and Food Safety

Mr Gordan Grlić Radman

Minister of Foreign and European Affairs of the Republic of Croatia



Commission's response to the Council's request under Article 241 TFEU, by way of Council Decision (EU) 2019/1905 of 8 November 2019 requesting the Commission to submit a study on the Union's options to update the existing legislation on the production and marketing of plant reproductive material, and a proposal, if appropriate in view of the outcomes of the study

The Commission welcomes the Council's interest in the future of the legislation on the production and marketing of plant reproductive material. In 2013, the Commission proposed a draft Regulation replacing the existing 12 Directives in order to adapt the system to technical developments in the seed sector, to decrease administrative burden on operators and competent authorities and to better take issues of sustainability and agro-biodiversity into account. That proposal was rejected by the European Parliament in 2014 and subsequently withdrawn by the Commission in March 2015.

While in the Commission's view, the evaluation and the impact assessment accompanying the proposal of 2013 remain generally valid, new technical developments in the breeding sector and an even greater public and political concern for sustainability in agriculture and the conservation of agro-biodiversity would require a limited and focussed update of the evidence-base of a possible new proposal.

The requested study, also taking into account the European Parliament's and the Council's earlier input, will therefore assess whether the results of the evaluation carried out in 2007-2008 are still relevant and where necessary update them. It will further take stock of existing evidence, providing, where needed, new evidence with a view to identifying possible options to revise the existing legislation on the production and marketing of plant reproductive material. If deemed appropriate and depending on the outcome of the study and on an assessment of the impacts, the Commission may adopt a legislative proposal. The Commission, however, cannot prejudge at this stage the decision on follow-up options, which falls under the right of initiative of the Commission.

 Electronically signed on 21/02/2020 14:08 (UTC+01) in accordance with article 4.2 (Validity of electronic documents) of Commission Decision 2004/563