


Procedure file

Basic information	
CNS - Consultation procedure Directive	2002/0232(CNS)
Procedure completed	
Marketing of seeds, propagating and planting materials: Community comparative tests and trials	
Amending Directive 2002/56/EC 1995/0302(CNS)	
Amending Directive 2002/57/EC 1995/0304(CNS)	
Amending Directive 98/56/EC 1997/0367(CNS)	
Amending Directive 2002/55/EC 2001/0108(CNS)	
Amending Directive 2002/54/EC 2001/0147(CNS)	
Subject	
3.10.03 Marketing and trade of agricultural products and livestock	
3.10.06.01 Fruit, citrus fruits	
3.10.06.02 Vegetables	
3.10.06.03 Cereals, rice	
3.10.06.04 Fodder plants	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	AGRI Agriculture and Rural Development	V/ALE AUROI Danielle	05/11/2002
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	BUDG Budgets	The committee decided not to give an opinion.	
European Commission	Council configuration	Meeting	Date
	Agriculture and Fisheries	2516	26/05/2003
European Commission	Commission DG	Commissioner	
	Health and Food Safety		

Key events			
25/09/2002	Legislative proposal published	COM(2002)0523	Summary
10/10/2002	Committee referral announced in Parliament		
19/03/2003	Vote in committee		Summary
19/03/2003	Committee report tabled for plenary, 1st reading/single reading	A5-0078/2003	
09/04/2003	Debate in Parliament		
10/04/2003	Decision by Parliament	T5-0185/2003	Summary

26/05/2003	Act adopted by Council after consultation of Parliament		
18/06/2003	End of procedure in Parliament		
03/07/2003	Final act published in Official Journal		

Technical information

Procedure reference	2002/0232(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 2002/56/EC 1995/0302(CNS) Amending Directive 2002/57/EC 1995/0304(CNS) Amending Directive 98/56/EC 1997/0367(CNS) Amending Directive 2002/55/EC 2001/0108(CNS) Amending Directive 2002/54/EC 2001/0147(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/5/16772

Documentation gateway

Legislative proposal	COM(2002)0523 OJ C 020 28.01.2003, p. 0208 E	25/09/2002	EC	Summary
Economic and Social Committee: opinion, report	CES1360/2002 OJ C 085 08.04.2003, p. 0043-0043	11/12/2002	ESC	
Committee report tabled for plenary, 1st reading/single reading	A5-0078/2003	19/03/2003	EP	
Text adopted by Parliament, 1st reading/single reading	T5-0185/2003 OJ C 064 12.03.2004, p. 0392-0577 E	10/04/2003	EP	Summary

Additional information

European Commission	EUR-Lex
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Final act

Directive 2003/61 OJ L 165 03.07.2003, p. 0023-0028 Summary
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Marketing of seeds, propagating and planting materials: Community comparative tests and trials

PURPOSE : to present a Proposal for a Council Directive amending Directives 66/401/EEC on the marketing of fodder plant seed, 66/402/EEC on the marketing of cereal seed, 68/193/EEC on the marketing of material for the vegetative propagation of the vine, 92/33/EEC on the marketing of vegetable propagating and planting material, other than seed, 92/34/EEC on the marketing of propagating and planting material of fruit plants, 98/56/EC on the marketing of propagating material of ornamental plants, 2002/54/EC on the marketing of beet seed, 2002/55/EC on the marketing of vegetable seed, 2002/56/EC on the marketing of seed potatoes and 2002/57/EC on the marketing of seed of oil and fibre plants as regards Community comparative tests and trials. **CONTENT :** in the past 25 years Community comparative tests and

trials have been carried out for agricultural crops as cereals, potatoes, fodder and oil and fibre plants on the basis of the relevant legislation. In the last years new legislation on the marketing of propagating material of fruit, vegetables and ornamental plants laying down, inter alia, detailed rules for Community comparative tests and trials, increased the size of the exercise. This post control system on seed and propagating material marketed in the Community is recognised as a very important tool for the harmonisation of marketing by Member States. The above tests and trials were executed thanks to a Community financial contribution. In the interest of transparency a clear legal basis for this financial contribution is needed and provisions for Community financial measures for carrying out the Community comparative tests and trials, which involve compulsory Community budget expenditure should therefore be made.?

Marketing of seeds, propagating and planting materials: Community comparative tests and trials

The committee adopted the report by Danielle AUROI (Greens/EFA, F) amending the proposal under the consultation procedure. MEPs said that seed marketed for use in organic farming should be tested in an environment reflecting that type of farming. Special tests were needed to determine that such seed was free of all traces of genetically modified organisms (GMOs) and pesticides, and more funding should therefore be provided for testing under the relevant budget lines. The committee also pointed out that, while the directive stipulated that genetically modified varieties (GMV) of seed must be labelled, what had not been regulated, to date, was how non-GMV seed should be handled if it contained traces of GMOs. It therefore tabled a number of amendments stipulating that non-genetically modified varieties of seed which contain GMOs may not be placed on the market. It added, however, that where traces of GMOs authorised under Community law are "adventitiously or technically unavoidably present" in seed, a threshold may be set beneath which the seed may be placed on the market. The threshold should be set as low as possible in line with the latest scientific and research findings and, in order to establish that traces of GMOs are present accidentally, evidence must be supplied that suitable measures were taken to prevent their presence. Lastly, the committee called for new specific directives on the marketing of seed and plants for conservation and diversity of genetic resources in Europe, based on Directive 98/95/EC, to be adopted to supplement the arrangements laid down in the proposal. ?

Marketing of seeds, propagating and planting materials: Community comparative tests and trials

The European Parliament adopted the report Danielle AUROI (Greens/EFA, F) subject to several amendments. The Parliament believes that the comparative tests funded by the Union must not be limited to the species and varieties of certified seed and plants included in the Union's common catalogue. Conservation varieties and seed originating in organic farming may also benefit from these tests. In addition, the Parliament is of the opinion that the issues surrounding GMO contamination must be addressed in the context of the directives on the marketing of plants and seeds and cannot be dealt with under the committee procedure, which excludes the European Parliament from all debate, and prevents it from making proposals, on this sensitive matter. Parliament believes that seed marketed for use in organic farming must be tested in an environment specific to that type of farming and be given more funding. Such seed must be free of all traces of GMOs and pesticides and therefore calls for special tests. Moreover, parliament states that the 'conservation' types and varieties referred to in Directive 98/95/EC must be defined and tested in order to be marketed in accordance with specific criteria and require an implementing regulation. In addition, the problem of farm seed must be resolved by giving flexibility to farmers and selectors in accordance with established contracts and needs of farmers. In order to support biodiversity, additional efforts should be made. These include: - Member States should increase their contributions and step up their long-term commitments as regards conservation of genetic resources at national and international levels; - Member States should step up their financial support and their commitment as regards all non-institutional agricultural research into enhancement of plants and genetic resource conservation on the farm; they should also step up their support for NGOs working in this area; - Member States should recognise the complementarity of ex situ and in situ conservation strategies. Both methods are essential for conservation of germoplasm for future generations; they need increased assistance, in particular for in situ or on-farm conservation; - Member States should lay down measures intended to promote and step up farmer-based and farmer-led science, including 'participatory plant breeding' as defined by the FAO; - Member States should give a legal undertaking to acknowledge the collective rights of communities and their knowledge concerning local genetic resources. They should acknowledge the traditional practices of those communities when they have developed certain genetic resources. Member States should ensure, in this connection, that there is effective application of Directive 98/95/EC, in respect of 'amateur' varieties.?

Marketing of seeds, propagating and planting materials: Community comparative tests and trials

PURPOSE : on comparative tests and trials for certain seeds and species of plants. LEGISLATIVE ACT : Council Directive 2003/61/EC amending Directives 66/401/EEC on the marketing of fodder plant seed, 66/402/EEC on the marketing of cereal seed, 68/193/EEC on the marketing of material for the vegetative propagation of the vine, 92/33/EEC on the marketing of vegetable propagating and planting material, other than seed, 92/34/EEC on the marketing of propagating and planting material of fruit plants, 98/56/EC on the marketing of propagating material of ornamental plants, 2002/54/EC on the marketing of beet seed, 2002/55/EC on the marketing of vegetable seed, 2002/56/EC on the marketing of seed potatoes and 2002/57/EC on the marketing of seed of oil and fibre plants as regards Community comparative tests and trials. CONTENT : the Commission is required to ensure that, in appropriate cases, arrangements for coordinating, carrying out and inspecting the Community comparative tests and trials are made in accordance with the procedures laid down in the above-mentioned Directives. These necessary arrangements implied in the past years that a Community contribution for the execution of the above Community comparative tests and trials had been decided. The key points of this Directive are as follows: - this directive ensures that tests and trials are organised for species and under conditions listed by Directives irrespective whether the provisions are mandatory or discretionary. The tests and trials will cover in particular seed and propagating material harvested in third countries, seed and propagating material suitable for organic farming and seed and propagating material marketed in relation to the conservation in situ and the sustainable use of plant genetic resources. - furthermore, the directive harmonises the drafting of the relevant articles of the above Directives. - in the interest of transparency a clear legal basis for the Community financial contribution is needed. Provisions are therefore made here for Community financial measures for carrying out the Community comparative tests and trials, which involve compulsory Community budget expenditure. DATE OF TRANSPOSITION : 10/10/03. ENTRY INTO FORCE : 10/07/03.?