

Brussels, 14 JAN. 2011
C/2010/4008

Mr Renato Schifani
President
Senate of the Republic
Piazza Madama
I - 00186 Roma

Dear President,

The Commission would like to thank the Italian Senate for its resolution on the proposal for a Directive of the European Parliament and of the Council on the marketing of material for the vegetative propagation of the vine {COM(2010) 359 final}.

The Commission is pleased that the Italian Senate has given a favourable opinion on the application of the principles of subsidiarity and proportionality.

The Commission notes with interest that the Italian Senate gives a favourable opinion on the merits of the proposal subject to the removal of Article 8 thereof and of any other reference to the possibility of using genetically modified material, with particular reference to the wine sector. The Commission would like to draw the attention of the Italian Senate to the fact that the proposal does not introduce any new substantive changes as regards the possibility of using genetically modified material in the wine sector; it only codifies existing provisions set out in Council Directive 68/193/EEC, as introduced in particular by Council Directive 2002/11/EC¹ and Regulation (EC) 1829/2003 of the European Parliament and of the Council.²

The Commission notes with interest the observations of the Italian Senate as regards the conferral of specific implementing powers on the Commission in the context of Article 291 TFEU. The Commission would like to inform the Italian Senate that it has suggested to the European Parliament and to the Council to suspend the legislative procedure relating to the recast of this proposal in light of the major reform of the basic legislation on marketing seed and propagating material (EU Seed Law Review), foreseen to be adopted by the Commission by then end of 2011. The latter reform would encompass and restructure the provisions of Council Directive 68/193/EEC.

The Commission hopes that these explanations are useful for the Italian Senate and remains available to provide any further information.

Yours faithfully,

¹ OJ L 53, 23.2.2002, p. 20.

² OJ L 268, 18.10.2003, p. 1.