

SENATE OF THE REPUBLIC

17th LEGISLATURE

Doc. XVIII
No 23

RESOLUTION OF THE 9TH STANDING COMMITTEE

(Agriculture and agrofood production)

(Rapporteur FATTORI)

Adopted at the meeting of 9 October 2013

ON THE

PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE PRODUCTION AND MAKING AVAILABLE ON THE MARKET OF PLANT REPRODUCTIVE MATERIAL (PLANT REPRODUCTIVE MATERIAL LAW) (COM (2013) 262 FINAL)

Pursuant to Article 144(1) and (6) of the Rules of Procedure

Communicated to the Prime Minister's Office on 10 October 2013

The Committee, having examined, within the meaning of Article 144 of the Regulation, the Proposal for a Regulation of the European Parliament and of the Council on the Plant Reproductive Material Law,

Whereas:

the Proposal is intended to repeal and update twelve directives currently in force which govern this area and harmonise the legislation to create greater clarity, so as to avoid discrepancies in implementation in the Member States and adapt to the technical progress in this area;

the Proposal is also intended to regulate the registration of plant reproductive material, including not just seeds but also plants and their parts able to produce whole plants, in the national and European registers, and the sale, labelling, packaging and post-certification monitoring of this material;

takes the view that:

the Proposal for a Regulation provides for the use of the delegation of power to the European Commission for many aspects relating above all to the future technical and scientific updating of the plant reproductive material sector. Delegated powers adopted pursuant to Article 290 of the Treaty on the Functioning of the European Union (TFEU) are removed from the surveillance of national parliaments and from verification of observance of the subsidiarity principle. We would therefore call on you to limit the excessive use of delegated powers in order to avoid the risk of an imbalance between the monitoring tools available to the European Parliament and those of the national parliaments. This wish has been expressed on numerous occasions by the European Union Policy Committee of the Senate of the Republic;

in the Proposal for a Regulation, the historical and economic importance of traditional regional varieties should be taken into account;

it is therefore to be hoped that particular attention will be paid to protecting local characteristics, not only in terms of seeds intended for 'niche markets' being taken out of the registration process, but also in terms of typical varieties disseminated widely, which represent an asset to Italian agricultural biodiversity, in order also to promote the development of informal seed exchange systems between farmers at local and regional level. In such systems, which promote biological and agricultural diversity, the propagating material often bypasses the market. The competent European authorities are therefore asked to take into account the specific nature of Italian farming, comprising typical products and local and regional specialities protected, on the one hand, by small and medium-sized producers and, on the other, by farming diversity, also taking into account the principles and objectives set out in the International Treaty on Plant Genetic Resources for Food and Agriculture, ratified by Italy under Law No 101 of 6 April 2004, so as to promote the sustainable use of agricultural diversity, protecting the rights of farmers and facilitating access to the varieties sold for the purposes of research and experimentation. In addition, it is hoped that, in view of the forthcoming Italian

Presidency of the European Union starting in July 2014, there will be renewed negotiations between the Member States to reform the rules on genetically modified organisms, which have now been suspended for more than a year, so as give Member States increased powers to protect their own biological diversity;

Article 34 of the Proposal for a Regulation provides for the possibility of placing on the market plant reproductive material which has not yet been registered. This procedure could allow the placing on the market of hybrid plant material, potentially the subject of registration with an industrial patent, not just plant variety rights, in particular by large multinationals in the agriculture sector. It is to be hoped that the procedures for this type of reproductive material will be tightened up, so as to protect small and medium-sized farming activities, to prevent patents which promote natural agricultural experimentation derived from the cultivation process and development of new plant varieties based on crossing and subsequent selection, which are essentially natural processes.