



## **ACTION REQUIRED NOW**

### **PROPOSED EU REGULATION ON THE PRODUCTION AND MAKING AVAILABLE ON THE MARKET OF PLANT REPRODUCTIVE MATERIAL (PRM)**

#### **The Problem**

On 06 May 2013, the European Commission published its proposals to modernise and simplify the agri-food chain in Europe. The intention is to condense 70 existing pieces of legislation covering animal health, plant health and plant reproductive material into five new regulations, known as “Le Package”. The Commission’s expressed desire is to simplify the regulatory environment and reduce the bureaucracy on operators, whilst ensuring health and safety and consumer protection in the food chain. Unfortunately, for the ornamentals sector, the proposals as drafted would deliver a system that is unnecessary, disproportionate, exorbitant in cost and bureaucracy, and risks diminishing biodiversity and national heritage.

In brief, the main flaws with the proposals are:

- the removal of the “commonly known” status from the existing Directive (1998/56/EC);
- the requirement for an Officially Recognised Description (ORD);
- the extension to include seeds and all other propagation material of ornamentals;
- the inclusion of Forest Reproductive Material of species in Annex I;
- the labelling requirements and associated costs;
- the criminal penalties imposed by the proposal.

As far as the UK is concerned, the proposed removal of the “commonly known” status and requirement for ORDs would impose a cost on industry that could not be absorbed. Of the 77,000 (in reality closer to 150,000) varieties of ornamental plants listed in the RHS Plant Finder, only 1,700 are legally protected or registered. To produce an ORD for the remainder would cost £500 per variety, representing a total bill of £37 million upwards. The food chain would be no more secure; the consumer would be no better protected. Instead, many thousands of varieties would disappear from the market, and breeders would stop producing new varieties. Jobs would be lost, economies damaged, biodiversity would be reduced and plant conservation and heritage could be devastated. What benefits do the proposals bring to justify such action?

#### **The Solution**

The HTA calls on all those involved in the UK and EU ornamentals industry to mobilise MPs, MEPS, national governments and any other relevant bodies to illustrate the flaws within the proposals and call for;

- **The removal of PRM for ornamentals from the scope of the Regulation (including Annex I Genera and Species destined for ornamental use), limiting the regulation to edible crops.**

If this is not achievable, for ornamental plants and plants produced for ornamental purposes, we call for;

- The removal of the requirements for an ORD, to be replaced by the existing “commonly known” criterion;
- The removal of delegated powers to amend Annex I;
- The removal of the requirement to make commercial contracts available to authorities;
- The sole use of the associated proposed Regulation on pests of plants for traceability and labelling purposes. That Regulation proposes that all plants for planting will require a Plant Passport and any further requirement in the PRM Regulation is duplication, adding cost and bureaucracy;
- The ability to market varieties whilst an application for Plant Variety Rights is in process;
- The removal of penalties and use of existing consumer protection laws instead.

The EU scrutiny procedures have already begun. Please act now to stop these proposals before they cause serious damage.

Further detailed information about the proposal is available on request, please contact [www.the-hta.org.uk/contact\\_us.php](http://www.the-hta.org.uk/contact_us.php) and the full 127 page text of the proposed Regulation can be accessed via <http://europa.eu>.

Horticultural Trades Association

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