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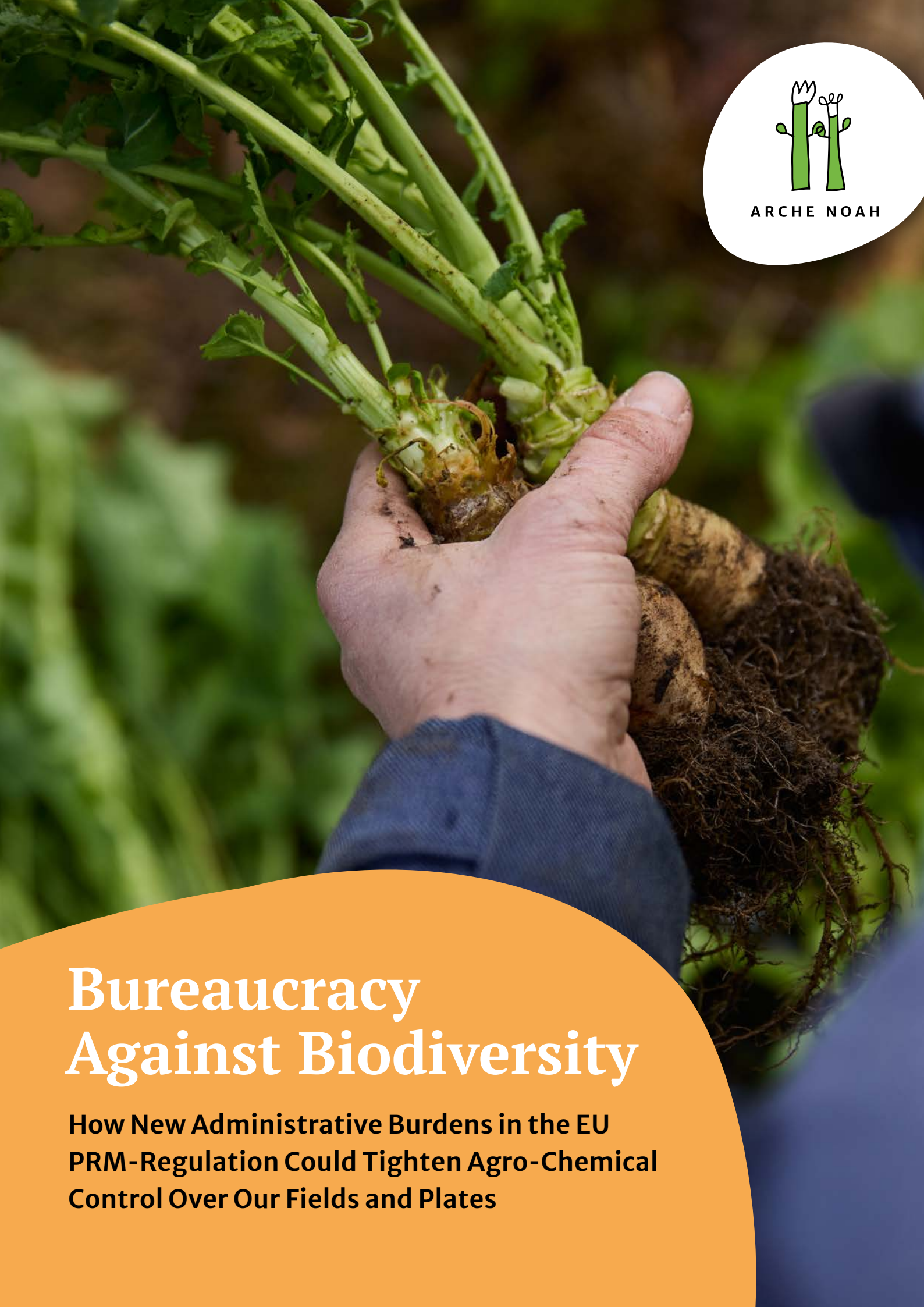

ARCHE NOAH

Bureaucracy Against Biodiversity

How New Administrative Burdens in the EU PRM-Regulation Could Tighten Agro-Chemical Control Over Our Fields and Plates

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May 2025

ARCHE NOAH

Who we are

Since 1990, the non-profit association ARCHE NOAH has been conserving and cultivating thousands of endangered vegetable, fruit and grain varieties. Our goal is to return these traditional and rare cultural assets back to our gardens, fields, and plates plates. As part of our mission, we advocate for policies that protect and promote cultivated plant diversity, instead of further eroding it.

If you have any questions or would like to discuss the findings in relation to a specific country, feel free to contact us at seedpolicy@arche-noah.at.

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1 Executive summary

"The new regulation is effectively a professional ban and would severely hamper the preservation of old varieties. A great deal of bureaucratic effort is to be expended that has no practical benefit. The extinction of species will be accelerated by this regulation."

Sole trader, Germany

The proposed EU Regulation on the Production and Marketing of Plant Reproductive Material (EU PRM Regulation) risks having a **devastating impact on small seed producers** – and on the diversity of plant varieties and species available to farmers and home gardeners across Europe.

ARCHE NOAH surveyed nearly **200 small seed producers and fruit tree nurseries in 16 EU Member States** in late 2024. These businesses, often nano-enterprises with annual revenue below 100,000 EUR and fewer than five employees, sell on average **152 different varieties of 41 crop species per year.** Remarkably, these small actors often offer a greater range of crop diversity than some of the largest players in the market, such as Nunhems (BASF), Rijk Zwaan, and KWS. They preserve and provide access to genetic diversity that is essential for sustainable, resilient food systems – especially in the face of the climate crisis and geopolitical instability.

Despite the European Commission's pledge to reduce administrative burdens for SMEs by at least 35 %, the proposed regulation would **introduce a one-size-fits-all system.** New administrative and production requirements would apply equally to multinational corporations and small, artisanal producers – threatening the latter's ability to survive and decreasing their competitiveness in national and European markets. These small producers already face higher costs owing to their work with diversity and the use or artisanal techniques, and operate on tight margins. Burdensome **rules for traceability, record-keeping, and laboratory testing would tip the balance against them.**

Key findings of the survey include:

- **30 % of respondents would reduce the number of species or varieties they offer;**
- **13 % would be forced to cease operations entirely;**
- **66 % of those selling to farmers would stop doing so due to new "standard seed" requirements;**
- **laboratory testing alone could cost an average of 30,000 EUR per year;**
- **the separation of PRM and food/feed production, as proposed, is often unfeasible on small farms.**

Fruits are sold by the same nanoenterprises that sell scions of traditional varieties

Yet these are the producers who offer what multinationals do not: PRM of locally adapted, often under-utilised crops; open-pollinated varieties free from intellectual property restrictions; and the foundation for community-based, ecologically diverse agriculture **across Europe.**

While political attention has focused on variety registration and the scope of the regulation, the **day-to-day burdens of Articles 41 and 42, and Annexes II and III, have been largely overlooked.** These are the rules that would most directly affect the work of small-scale producers – and they were not assessed in the Commission's impact analysis.

This report **gives voice to those on the frontlines of cultivated plant diversity across Europe.** Their practical knowledge and lived experience offer valuable guidance for shaping a European legal text that is fair, effective, and fit for implementation in the Member States – and that works for national producers on the ground.

"Much more data and control will be needed, and we do not have the facilities, labour and time for it. If we have to prioritise it, we will either have to hire more people and increase costs, or reduce our offers"

Danish company

To safeguard diversity, resilience, and fairness, ARCHE NOAH calls on policymakers to:

- **exempt nano-enterprises** from the new notification, administrative, and traceability obligations (Article 8(3), Articles 41 and 42);
- **ensure proportionate production rules,** including deleting the costly external testing requirement and reinstating adapted rules for traditional fruit tree varieties (Annex III); and
- **exempt non-commercial exchanges** aimed at conservation, sustainable use, or education from the scope of the regulation (Article 2(4)).

If you have any questions or would like to discuss the findings in relation to a specific country, feel free to contact us at **seedpolicy@arche-noah.at**.

2 Background

"The deliberate increase in bureaucracy makes conservation work, independence in the seed sector and agricultural work more difficult. The farms concerned will be hindered, weakened or their existence jeopardised. All this represents a major threat to our food security!"

Farmer, Austria

The European Commission has committed to reducing administrative burdens by at least 25 %, and at least 35 % for small and medium sized enterprises across all sectors[1]. At the same time, the new administrative and traceability obligations in the proposed new EU regulation[2] on the Production and Marketing of Plant Reproductive Material would significantly increase the administrative burden for producers of PRM, without considering the devastating effects on small seed companies and fruit nurseries.

The costs, benefits, and proportionality of the proposed new obligations were not considered as part of the Impact Assessment published alongside the legislative proposal in July 2023[3]. This was a serious oversight, as the new bureaucracy is highly relevant for small operators. It poses a real threat to the work of small producers of PRM, and thus to the diversity of varieties and species available to gardeners and farmers in Europe.

The seed industry typically produces genetically uniform hybrid varieties for cultivation in input-intensive farming systems. Small local producers typically offer more genetically diverse varieties, including those varieties developed using traditional techniques like crossing and selection; open-pollinated seeds, which can be multiplied and sown again in the next season; regional varieties with a particular heritage or connection to local food traditions; varieties adapted to marginal areas, such as at high altitude; varieties designed for niche farming systems, including market gardening or intercropping; and varieties free from intellectual property rights, such as patents.

Thanks to their greater genetic diversity, these so-called "diversity varieties" can adapt both spontaneously and over time to local conditions and climate change.

1 The commitment was part of President von der Leyen's statement on the EU Competitiveness Compass in January 2025.
2 On 5 July 2023 the European Commission published a proposal for a new EU regulation on the production and marketing of plant reproductive material. Plant reproductive material (PRM) refers to seeds and other plant material used for the reproduction of plants, such as cuttings of fruit trees or berry plants, and tubers such as seed potatoes.
3 Of all of the new requirements considered as part of the survey and this report, only one was considered as part of the Impact Assessment: The requirement under article 41 (b) to be registered as an operator under the EU Plant Health Regulation (2016/2031).

Cleaning cabbage seed with a sieve

Small producers thus play an important role in strengthening the resilience of our food system, and in the preservation of the genetic diversity of our cultivated plants through its sustainable use[4]. They also create independence from the "seed giants" that already dominate a high proportion of the market. A recent study[5] found that the global market share of the 'Big Four' (BASF, Bayer, Corteva, and Syngenta) stands at 62 % for the sale of agro-chemicals, and 51 % for the global sale of seeds and the licensing of plant traits. Finally, they play a central role in preserving and sharing the traditional knowledge around the cultivation and use of diverse species and varieties through direct contact with their customers, for example at farmers' markets and seed events. Thanks to their frequent cultivated and multiplication work, these enterprises also typically have greater knowledge on the varieties than gene banks[6].

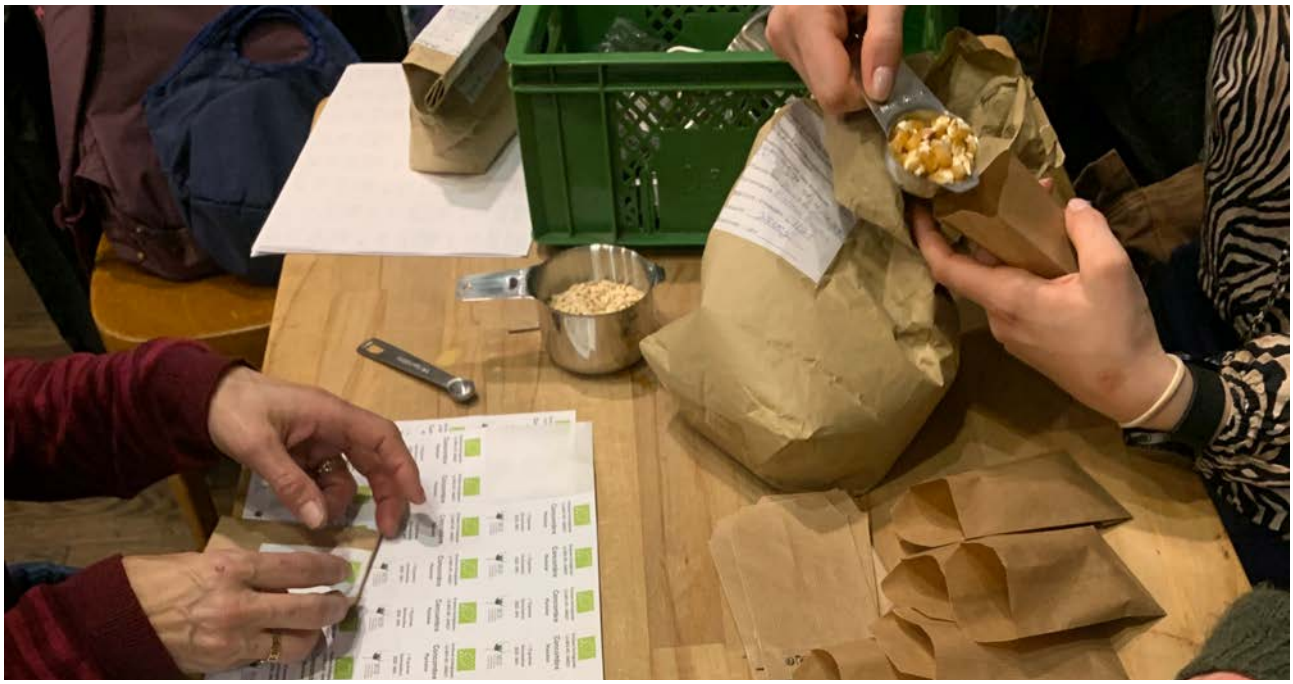
The negotiations on the proposed EU PRM Regulation[7] have so far focussed on which activities and crop species should be regulated, and the rules for registering varieties before marketing. In contrast, the proposed new administrative and traceability obligations for operators (articles 41 and 42) as well as the suggested detailed rules for the production of PRM (annexes II and III) have received little attention. However, it is precisely these detailed requirements that have the largest impact on the day-to-day work of small seed companies and fruit tree nurseries that typically work with non-registered varieties and varieties registered by third-parties. Small enterprises that work with a wide range of crop species and use

4 The fact that real conservation of cultivated plant diversity can only be ensured through its ongoing sustainable use is enshrined both in the Convention on Biological Diversity and the International Treaty on Plant Genetic Resources for Food and Agriculture.

5 ETC Group, Food Barons 2022: Crisis Profiteering, Digitalization and Shifting Power

6 The importance of the work at local level in both the conservation of plant genetic diversty but also making it available to smallholder farmers is documented in the FAO's 2025 Third Report on The State of the World's Plant Genetic Resources for Food and Agriculture.

7 The European Parliament adopted its position on the proposed regulation in April 2024. Negotiations in the Council of Agriculture Ministers are still ongoing at the time of publication. Following the adoption of a general approach in the Council, negotiations will begin between the European Parliament, the European Commission and the Agriculture Council on the final text of the Regulation.



Seeds are bagged by hand

artisanal techniques already face high production costs – especially when compared to the large-scale, mechanised production of "cash crop" seeds by multinational companies. On top of this, small producers are already subject to significant administrative burden under the existing EU legislation on plant health as well as organic production. They have neither the financial nor the human resources to shoulder additional administrative burdens that are disproportionate to their activities' risks.

To better understand the likely impact of the proposal on the smallest producers of PRM and the availability of diverse varieties and crop species, as well as the specific changes that would be necessary to the proposed legislation to limit this impact, ARCHE NOAH carried out a survey of small PRM producers in late 2024. The survey was shared among ARCHE NOAH's partner organisations from across Europe and their networks. There were 188 responses from 16 EU Member States.

"We do germination tests in-house. I cannot afford to pay a private laboratory to test all of our 100 batches. Also, some of our batches are very small. Taking a sample to send to a laboratory represents a substantial loss. The risk of all this is that we'll end up abandoning the preservation of old varieties that are in danger of disappearing."

Farmer, France

3 Key findings

"For a few years now, it has been fashionable to talk about resilience and diversity. But in practice, all innovations in terms of legislation are going in a completely different direction. It is becoming increasingly difficult to maintain a wide range of varieties."

Austrian company

1. **Small producers of PRM in Europe are very small.** 85 % have a total annual revenue of less than 100,000 EUR. These small producers thus fall well under the definition in the EU of a micro-enterprise, and can mostly be considered as nano-enterprises, with < 5 employees and annual turnover of ≤ 100,000 EUR[8].

2. **Despite their small size, small PRM producers make available a greater diversity of crop species than the big multinationals, as well as a range of varieties.** On average, the respondents to the survey sell 152 different varieties of 41 crop species each year. The diversity of the species is particularly notable, as the catalogues of multinationals like Nunhems (BASF), Rijk Zwaan and KWS[9] contain between 13–30 different species.

3. **These producers usually engage in several activities connected to diversity conservation.** Only half of the respondents declare that work with PRM (production/marketing/conservation) is their main activity. It is a side activity for the rest, e. g. farmers who produce seeds as well as food and feed. Many respondents produce PRM for both farmers and home gardeners. Many are involved in both commercial and non-commercial activities, e. g. they may sell some seeds and offer others for free or for a donation. Over half are also involved in conservation work, and many in education and breeding. Legal identities are diverse.

4. **The general administrative and traceability obligations (articles 41 and 42) of the proposed EU PRM Regulation would represent a new significant burden, with the largest negative impact on the work of the very smallest producers.** The requirements to identify and monitor the critical points of the production or marketing, and to keep records of this monitoring (article 41 (d) and (e)), and to ensure traceability of PRM at all stages of production and marketing article 42) were identified as the most burdensome.

8 Based on EU Recommendation 2003/361/EC, a micro-enterprise in the EU is defined as a business with fewer than ten employees and annual turnover of ≤ 2 million EUR. There is no existing legal definition of nano-enterprises in the EU, but the general understanding is that these companies have fewer than five employees and annual turnover of ≤ 100,000 EUR.

9 Numbers based on an online search in May 2025.

Scions of cherry, pear, plum, abricot, apple and quince

5. **These obligations would negatively impact the diversity of crop species and varieties available to farmers and gardeners.** Almost a third of respondents (30 %) said the new obligations would force them to reduce the number of crop species or varieties they work with, while 13 % said they would have to stop their business altogether. 37 % of respondents said the new obligations would increase their operational costs.

6. **The proposed new requirement to annually notify production of PRM of standard seed/material (article 8 paragraph 3) also represents a significant burden,** especially for operators who produce a large number of varieties in small quantities. Respondents expressed exasperation for further notification requirements, in addition to existing obligations under the legislation on plant health and organic production.

7. **Some of the proposed new rules for the production of PRM of standard seed/material (annex III) represent insurmountable obstacles for small producers, and would have a devastating impact of the diversity of available PRM.** In particular, 66 % of respondents could not fulfil the proposed requirement to test quality in a laboratory, as opposed to "in house" as is currently the case, given the associated costs. 44 % of the respondents would not be able to meet the requirement to have, defined dimension and specific grading, as this would require the purchase of dedicated machinery. The requirement to separate the production of PRM from the production of food and feed is not possible for 32 % of respondents. This requirement could effectively prohibit the production of PRM for marketing to other farmers by small-scale farmers, which goes against the UN Declaration of the Rights of Peasants[10].

10 Article 19 of the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) affirms the right of peasants and other people working in rural areas to seeds, including the right to protect traditional knowledge relevant to plant genetic resources for food and agriculture.

A new EU PRM Regulation would be directly applicable in all EU Member States. National competent authorities would have little flexibility, compared to the current EU Directive on the production and marketing of PRM, which are transposed and thus adapted to local contexts. It must be noted that the overall negative impact of the proposal on small producers – and on the diversity of crop species and varieties – is likely even greater than what the survey results suggest, for several reasons.

First, according to the proposal, the new general administrative obligations would apply to all professional operators who produce PRM, not just those who produce with a view to marketing. Thus, the monitoring, traceability and reporting requirements would also apply to farmers who save their seeds, seed potatoes, or propagate their fruit trees of berry plants! This was not captured by the survey, which targeted producers who make available PRM to others.

Second, the questions on the proposed new rules of the production of standard seeds for farmers only capture a small selection of those rules – the full requirements are much more comprehensive.

Finally, the survey did not ask about the proposed specific production rules of PRM of traditional fruit varieties[11], as it is undisputable that the proposed requirements, which are equivalent to those for production of certified material for large-scale fruit plantations, cannot economically be fulfilled in the context of small-scale production. Regrettably, the proposal failed to include any adapted rules for the production of standard material of these varieties, instead applying the stricter production rules intended for certified material of "mainstream" varieties intended for large-scale fruit plantations across the board. Owing to this omission, it would effectively be impossible to market PRM of traditional fruit varieties to farmers in future.

11 Under the current legislation traditional varieties of fruit can be registered as „commonly known fruit varieties". Propagating material of these varieties can be produced under EU Directive 2008/90/EC as CAC (Certified as Conforming) Material under EU Directive, with adapted production and marketing requirements specific to these traditional varieties.

"In the vegetable sector, it is impossible to separate stocks for food and seed production if you want to practise professional selection of seed carriers in the sense of varietal authenticity and purity. You need larger stocks from which a certain percentage of good seed carriers are selected, depending on the species. The rest of the stock is then marketed as food."

Sole trader, Luxembourg

4 Conclusions and solutions

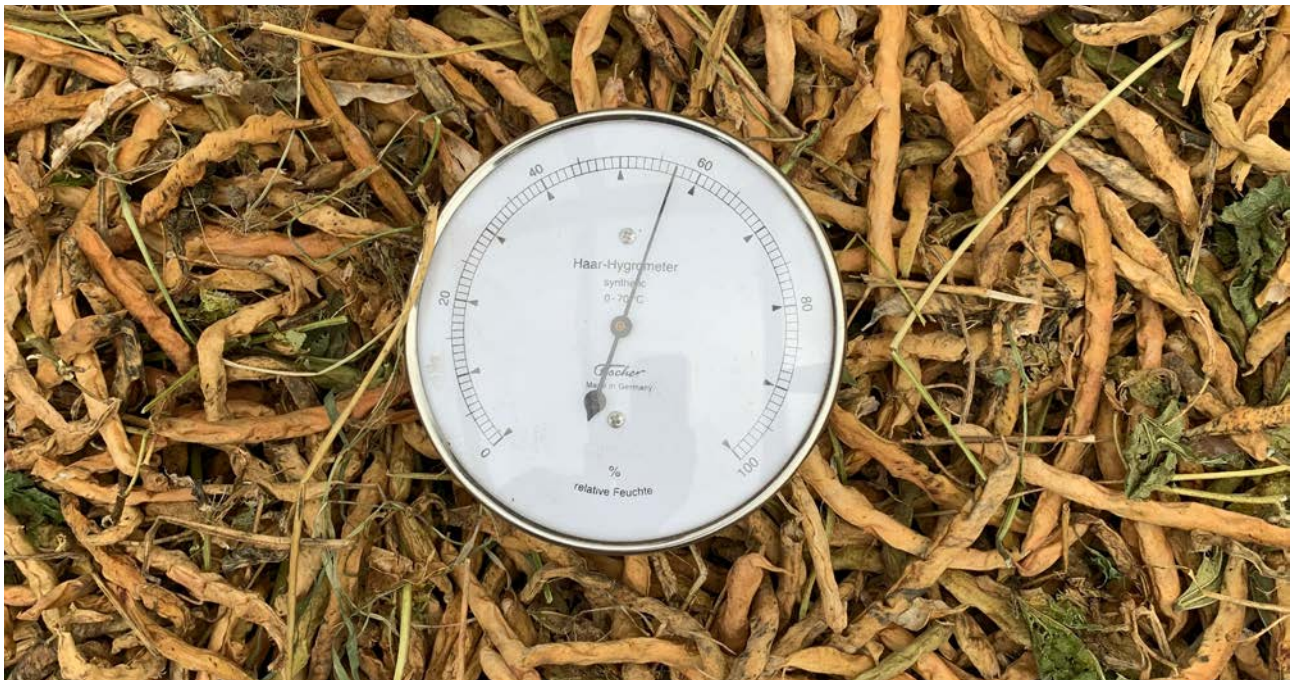
"Let there be rules adapted for small operators. We can't all be subject to the same rules – otherwise it's the death of all small nurserymen!"
Farmer, France

Administrative obligations, such as the requirement to monitor and keep records on the critical points in the production and marketing processes[12] or to annually notify the quantity of production per species, represent a disproportionate burden for small business. They particularly penalise operators who produce a large number of different varieties in small volumes. Many small PRM producers, depending on the specific nature of their activities, are already subject to significant administrative burden under the EU legislation plant health and organic certification – they cannot deal with any more.

Further, the proposed rules for the production of PRM of conservation varieties (standard seed/material) do not reflect the resources available to small producers and the nature of these varieties. For example, it must be possible to cultivate plants for seed production alongside seeds for the production of food or feed at a small scale – otherwise PRM production through peasant farmers will effectively be made unlawful. It must also be possible for producers to continue to test germination rate and other standards themselves, as sending samples to external laboratories is prohibitive in the context of small-scale production of many varieties, owing both to the cost and the size of samples required, i. e. in some cases there would be no seeds left to sell after laboratory testing!

Under the proposed regulation, producers are bound to fulfil quality requirements, for example with regard to germination rate, identity and purity, and authorities are enabled to carry out post-marketing checks on compliance. It is therefore unnecessary and disproportionate to prescribe to producers in detail how they should fulfil these requirements. It is highly concerning that these aspects of the proposal, which have a day to day impact of the work of producers, were not considered as

12 Under Article 90 of the EU Plant Health Regulation (2016/2031) operators who are required to issue plant passports, which are broadly required for the movement of plants for planting of all crop species and of seed of around 20 different crop species, are already obliged „to identify and monitor the points of its production process, and the points concerning the movement of plants, plant products and other objects, which are critical as regards compliance", and to keep records of this monitoring for at least three years. The PRM proposal would introduce additional monitoring and reporting requirements in relation to the identity and quality of the PRM for all operators.



Nanoenterprises use simple tools like a hygrometer

part of the Impact Assessment. There should be a full Impact Assessment of these provisions (articles 41, 42 and article 3), together with alternative options that would facilitate, rather than hinder the marketing of diverse and locally adapted varieties by regional seed producers. It is vital that changes are made to the proposed regulation to ensure the burdens on small businesses are necessary and proportionate.

In light of the climate and biodiversity crises, we need to diversify the production of seeds, not further increase our dependency on industrial seed sources! We call for the following changes to the regulation to ensure proportionality for local, small-scale producers of PRM, and to facilitate the marketing of diverse and locally adapted varieties by regional seed producers:

1. **There should be an exemption for all nano-enterprises** from obligations set out in article 8 paragraph 3 (notification of standard seed production) articles 41 (administrative obligations), 42 (transparency). Farmers operating under article 30 and conservation organisations as per article 29 should also not be subject to these requirements, which are justified by the needs and scale of commercial crop production. This change could be achieved directly in the aforementioned articles, or in article 3 (definition of a professional operator). Further, the obligations in articles 41 should only apply to production with a view to marketing, i. e. not apply to farmers producing PRM for their own use.

2. **There should be targeted changes to the proposed rules for the production of standard seeds** (Annex III) in order to avoid new administrative burdens. These changes should reflect the natural, financial and human resources available to small-scale, local producers of diversity, and the nature of conservation varieties (in comparison to highly genetically uniform "mainstream" varieties). These include deleting the new costly requirements for external laboratory (Part A, 1. C (b)), and to have defined dimension and specific grading (Part A. 2 (c)).

3. **There should be adapted, proportionate rules for the production of standard material** of agricultural, vegetable and fruit species, as well as clones under Parts B and C of Annex III. For fruit, the current rules for CAC material should be replicated to provide regulatory stability for fruit tree nurseries, ensuring the continuity of a regime that is widely used today.

4. **Existing varieties "with no intrinsic value for commercial crop production but developed for growing under particular conditions" (commonly known as "amateur varieties" but that are also cultivated by farmers and market gardeners working with high diversity) and "commonly known fruit varieties" should be transferred into the new register of conservation varieties**[13] under article 68. This would prevent a loss of diversity on the market in comparison to the status quo, provided they meet the new definition of conservation varieties.

Our detailed amendment suggestions can be found in Annex II.

13 There are currently 1,293 "varieties with no intrinsic value for commercial crop production but developed for growing under particular conditions" registered in the EU. The EU FRUTAMIS database contains nearly 16,000 "commonly known fruit varieties", but it does not include all varieties included in national registers (for example, almost 1,800 commonly known Austrian apple and pear varieties are missing from the database).

5 Annex I

Full Survey Results

"There is already a lot of control and documents required, a small structure does not have the necessary staff to manage the administrative time.

Farmer, France

In the survey, respondents were first asked to provide some general information about themselves, for example related to their legal status, size, and activities. Next, all respondents were asked to consider the impact of the general new administrative obligations on their work and the diversity of PRM they offer, e. g. new monitoring, traceability and reporting requirements. Finally, it asked about the impact of new notification requirements and seed production rules that will apply to PRM that is sold to farmers, as opposed to home gardeners.

Part 1 – General information

The survey was successfully disseminated across European and national networks between October and November 2024, reaching a broad range of stakeholders – including small seed producers and fruit tree nurseries – across the EU. It was made available in five languages (English, French, German, Spanish, and Bulgarian) to ensure broad accessibility and participation. Thanks to strong collaboration within the European Coordination Let's Liberate Diversity association, as well as through bilateral partnerships, the survey captures a broad cross-section of small seed producers across the European Union – providing valuable insights into the challenges posed by the proposed regulation.

Location and legal status

The survey was completed by 188 producers from 16 EU Member States (Austria, Belgium, Bulgaria, Croatia, Czechia, Denmark, Estonia, France, Germany, Greece, Hungary, Ireland, Luxembourg, Portugal, Spain.) The most responses came from France (64), Germany (24), Spain (20) and Austria (11). The producers have diverse legal identities. Just over a third are farmers (39 %). The next most frequent answers were sole trader (14 %), not-for-profit association (14 %), and limited company (7 %). Other responses included cooperative, civil company, charitable foundation, and partnership.

Cress seed harvest

Nature of activities

For just over half of the respondents (52 %), the production, marketing and/or conservation of PRM represents their main activity. For 15 %, this work is not the main activity, but still a significant one, representing 25–50 % of their work. For 20 %, PRM activities represent less than 25 % of their work. 13 % provided no response to this question.

The respondents are involved in a broad range of activities, ranging from the production and sale of PRM to gardeners and/or farmers (56 %), the provision of PRM on a non-profit-basis, such as for a donation or for administrative costs (51 %), to conservation efforts (54 %), education (54 %), and breeding (19 %). Most are involved in more than one of these activities.

Over half of respondents (56 %) sell PRM to home gardeners, and over a third (36 %) sell PRM to farmers – most of these sell PRM to both gardeners and farmers, only 1 % sell only to farmers.

Size (annual turnover and employees)

Of the 141 answers to this question, 85 % of respondents have a total annual revenue of less than 100,000 EUR. 39 % have annual revenue less than 10,000 EUR. 12 % have annual revenue between 100,000 and 2 million EUR. 3 respondents have annual revenue in excess of 2 million EUR.

On average (mean) the respondents have 2.7 employees. However, this result is skewed by the respondents with turnover >2 million EUR, who on average have 50 employees. The median (middle value when a data set is ordered from least to greatest) is one employee. 15 % mentioned also relying on seasonal workers, volunteers and/or family members.

Diversity of varieties and species

The average (mean) number of crop species sold by recipients is 41. The median was 20 crop species.

The average (mean) number of different varieties sold by recipients is 152! The median is 100 varieties.

Types of PRM (vegetable seeds, fruit trees, etc.) and types of varieties (registered/non-registered)

Of the 105 producers who sell PRM to home gardeners, the most common types of PRM they sell are vegetable seeds (50 % of respondents who sell to home gardeners), followed by fruit trees (46 %), berry plants (35 %), vegetable propagating material such as garlic or onions (25 %), seeds of agricultural crops (23 %), and seed potatoes (3 %). Two-thirds of these producers (76 %) sell non-registered varieties, and over half (59 %) sell varieties that have been registered by others. Over a quarter of respondents (28 %) market varieties they have registered.

Of the 67 producers who sell PRM to farmers, 51 % sell fruit trees, 48 % vegetable seeds, 39 % berry plants, 34 % seeds of agricultural crops, and 6 % sell seed potatoes. Again, most producers market non-registered varieties (81 % of the 67 producers do this) and varieties that have been registered by others (76 %). Just over a third (34 %) sell varieties they have registered.

Part 2 – New general administrative obligations

In this section respondents were asked to consider the new obligations for all professional operators who produce PRM[14] under articles 41 (Obligations of Professional Operators) and 42 (Traceability) of the proposed regulation. For each of the new obligations, respondents were asked to rate the obligation on a scale from 1 to 5: 1 – not a problem/burden; 2 – a minor problem/burden; 3 – a significant problem/burden; 4 – a very significant problem/burden; 5 – I could not do this/too high a burden. Respondents could also provide open feedback on the new obligations.

"With more than 450 different varieties, it is not possible to keep records of every variety. The effort involved would be extreme and would effectively lead to a professional ban."

Sole trader, Germany

14 According to the legislative proposal, these requirements would apply to ALL professional operators who produce PRM, i. e. also to farmers who produce seeds, seed potatoes, fruit tree cuttings, etc, for their own use, with no intention to marketing.

Summary of responses

New obligation	Average (mean) response: "1 – not a burden" to "5 – I could not do this/ too high a burden"	% responses: "5 – I could not do this/ too high a burden" (all respondents; respondents with annual turnover < 10,000 EUR)
Identify and monitor the critical points of the production or marketing, and to keep records of this monitoring: Article 41 (d) and (e)	3.5	• all respondents: 28 % • turnover < 10,000 EUR: 41 %
Ensure that PRM is traceable at all stages of production and marketing, including keeping information on the professional operators who have supplied them with PRM and the persons to whom they have supplied PRM, except in the case of final users: Article 42.	3.4	• all respondents: 21 % • turnover < 10,000 EUR: 41 %
Make available on request of the competent authorities any contracts with third parties: Article 41 (j)	3.2	• all respondents: 26 % • turnover < 10,000 EUR: 34 %
Be registered under the EU Plant Health Regulation (2016/2031): Article 41 (b)	2.9	• all respondents: 25 % • turnover < 10,000 EUR: 37 %
Keep updated information on the address of the premises and other locations used for the production of PRM: Article 41 (g)	2.9	• all respondents: 18 % • turnover < 10,000 EUR: 26 %
Ensure that lots of PRM remain separately identifiable: Article 41 (f)	2.5	• all respondents: 12 % • turnover < 10,000 EUR: 16 %

Table: Overview of responses to survey questions on the impact of the proposed new administrative obligations for all professional operators who produce PRM

"Keeping documents internally is easy, but communicating with the administration, sending them documents, filling out forms and entering boxes is always a burden."

Sole trader, France

Generally, there was a lot of criticism of the additional bureaucracy and burden. Several commented that the work with diversity – making available many varieties and species – is an important service to society more widely in terms of contributing to the preservation and sustainable use of the genetic diversity of our cultivated plants, but one that does not generate significant profit, and can easily be rendered uneconomical if new administrative requirements are enforced.

There were several comments that the EU legislation on plant health already imposes significant administrative burdens and restraints on the work of small producers and conservation activities, and there should be no further increase or complication of the rules.

Selecting plants from a carrot variety as mother plants to grow seeds

In terms of the individual obligations, the proposed obligations to identify and monitor the critical points of the production or marketing, and to keep records of this monitoring (article 41 (d) and (e), and to ensure traceability of PRM at all stages of production and marketing article 42) were identified as the most burdensome. Both of these requirements are particularly burdensome to local, small scale diversity producers, who typically work with a large number of varieties in small quantities, and sell or offer these varieties in informal/offline settings such as farmers' markets or seed exchanges.

In relation to the obligations to make available contracts with third parties and updated information on the premises/location used for the production of PRM to competent authorities, respondents generally criticised the time and resources that are necessary to communicate such information to the authority (or authorities, in the case of duplicative requirements).

"I sell on markets and cannot ask for the contact details of each person to whom I sell."

Farmer, France

51 % of respondents said the new obligations would altogether leave them with less time to focus on the rest of their business. 37 % of respondents stated that the requirements would increase their costs. Almost a third of respondents (30 %) said the obligations would force them to reduce the number of crop varieties or species they work with, while 13 % said they would have to stop their business. Almost a quarter (24 %) of the smallest producers, with annual turnover < 10,000 EUR, would be forced to stop their business.

The ability of producers to absorb the proposed new administrative obligations is, unsurprisingly, heavily correlated to their size. 70 % of businesses with an annual turnover between 10,000 EUR and 50,000 EUR said they would have less time to focus on the rest of their business and 62 % of them said they would have higher costs. For businesses with an annual turnover of 500,000 – 2 Million EUR, both figures decrease to 33 %.

Part 3 – New requirements for operators producing PRM for farmers and other professionals

The final part of the survey targeted only those respondents who produce PRM for farmers and other professionals, as opposed to those only producing for home gardeners. There was one question on a new requirement to annually notify production quantities, followed by questions on the impact of a small selection (only) of the detailed proposed rules for the production of "standard seeds"[15] in Annex III to the proposed Regulation[16]. The number of respondents to these questions was accordingly lower, with an average of 51 responses.

There were also no questions concerning the impact of new rules for the production of standard (non-seed) material, such as fruit tree scions or berry plants. Regarding the latter, the proposed regulation completely disregards adapted production rules for conservation varieties, applying the same rules as for the production of certified PRM of industrial variety. It is clear that these rules are implausible for the production of PRM of traditional fruit varieties in small quantities for local agriculture, compared to the mass production of fruit PRM for larger plantations. Therefore, there was no need to ask about specific requirements. As a result, the survey does not capture the full negative impact of the proposed regulation on the local production of PRM by small, local producers, which will be much bigger.

Summary of responses –
New notification requirement on seed/material production

The proposal requires producers to submit an annual declaration to the national competent authority on the quantity of seed/material they have produced of each species (article 8 paragraph 3). This notification requirement represents a significant burden for small producers, with an average response (mean) of 3.4. In the open answers to this question, several respondents spoke of the impracticability of this requirement for operators who are producing many varieties in small quantities. More generally, the responses show exasperation with increasing administrative burden, with most questioning why the authorities need this data. Several spoke of the time-demand of having to make such notifications, and questioned why the state should have access to such commercially sensitive information.

"It's hard to keep accurate track of the quantities produced when you have a very wide range and sometimes very small production runs of certain species, especially if there are substantial failure rates."

French farmer

15 Under the proposal, producers will only be able to market PRM to farmers/professional users, if the variety of the PRM has been registered with the national competent authority as either a conventional or organic variety (with prior testing of its distinctiveness, uniformity and stability (DUS) as well as its value for sustainable cultivation and use (VSCU) in the case of agricultural crop species; a "conservation variety"; or notified as (organic) heterogenous material. For the type of PRM typically offered by small-scale, local producers of PRM, the category of conservation variety is most relevant, and according to article 26 paragraph 1 of the proposed Regulation the PRM of these varieties must be produced according to the rules for "standard" seeds/material, as opposed to the stricter rules for "certified" seeds/material for other varieties.

16 The proposed rules for the production of standard seed cover over two pages. It was thus not possible to ask about the impact of each rule. The questions were selected based on an analysis of which rules represent a change to the status quo, and thus potentially represent an additional burden for producers. However, the current rules may vary by Member State.

Summary of responses – New rules for the production on standard seeds

Requirement	Average (mean) response: "1 – not a burden" to "5 – I could not do this/ too high a burden"	% of answers: "5 – I could not do this/ too high a burden"
A sample of seed shall be taken from each lot and tested in a laboratory to ensure the fulfilment of the quality requirements for the respective species, including germination: Annex III, Part A, 1. C (b)	4.3	66 %
Seeds shall have sufficient vigour, defined dimension and specific grading: Annex III, Part A. 2 (c)	3.8	44 %
Production of seeds shall take place separately from the cultivation of seeds belonging to the same genera or species intended for the production of food or feed: Annex III, Part A, 1. A (f)	3.5	32 %
Seeds shall have at most a maximum content of hard seed: Annex III, Part A. 2 (b)	3.3	30 %
Mother plants shall be maintained in all phases of production, under conditions to enable the production of seeds: Annex III, Part A, 1. B (d)	3.0	30 %
Seeds shall have at least a minimum purity: Annex III, Part A. 2 (c)	2.7	20 %

Table: Overview of responses to survey questions on the impact of the proposed new rules for the production of "standard seeds" for marketing to farmers and other professionals

Almost a quarter (24 %) of respondents said these new rules would increase their costs. Over a fifth (21 %) said they would have to reduce the number of varieties or species they produce. As noted above, the survey only asked about a handful of the proposed rules for the production of standard seeds, so the overall impact of the complete package of new rules could be higher. Many respondents acknowledged the need to produce high quality seeds for farmers, but saw this as an essential part of their business, and not something that should be regulated in the smallest detail. Instead, controls should focus on identifying "black sheep" rather than imposing more costs, labour and difficulties on all companies.

In terms of the specific rules, the requirement for laboratory testing of quality requirements is the most problematic for small producers. Even respondents with annual turnover >500,000 EUR rate this requirement as a significant burden/ problem. Currently, producers are able to do their own testing to ensure compliance with the quality requirements. Requiring external laboratory instead, as suggested by the proposal, would lead to a huge increase in costs for operators. For

Final cleaning of a small amount of seeds of an onion variety

example, for a sole trader in Austria marketing 150 different vegetable varieties, the cost of external laboratory testing could reach 30,000 EUR per year[17], not including the human resources cost of organising and preparing the samples, packaging and posting. This significant proposed change was not considered as part of the impact assessment!

It is vital that the requirement for "sufficient vigour, dimension and grading" does not require the purchase of additional machinery, which would not be economical for smaller companies, and does not disadvantage open-pollinated varieties compared to hybrids. For small farmers producing PRM, it is not realistic to separate the production of PRM from the production of food and feed. This separation is also not always desirable from a quality perspective.

"I already have three bodies to which I'm accountable: the organic certifier, the plant health passport, the producers' collective with whom I work… Why add yet another contact?"

Farmer, France

17 This estimate (202,40 EUR per vegetable variety * 150 varieties) is based on the price list published by the Austrian competent authority, AGES.

6 Annex II

Amendment Proposals

"We already have to deal with all the requirements from the organic certification. As small seed producers, we cannot take any more administrative burden."

Sole trader, Ireland

To mitigate the negative impacts on small businesses and cultivated plant diversity evidenced by the survey, ARCHE NOAH proposes the following amendments to the proposal of the European Commission.

Article 3 – Definitions

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
(2.) 'professional operator' means any natural or legal person, involved professionally in one or more of the following activities in the Union concerning PRM:	**(2.)** 'professional operator' means any natural or legal person, involved professionally in one or more of the following activities in the Union concerning PRM, ***aimed at the commercial exploitation of the PRM by the professional operator outside of a services contract, with an annual income of more than 100,000 Euro from these activities:***

Article 8 – Requirements for standard seeds and material

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
3. A professional operator who uses this derogation shall annually notify to the competent authority this activity, with regard to the species and quantities concerned.	**3.** ~~**A professional operator who uses this derogation shall annually notify to the competent authority this activity, with regard to the species and quantities concerned.**~~

Article 41 – Obligations of professional operators producing PRM

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
	Points (b), (d) – (f), and (i) – (j) do not apply to professional operators producing and/or marketing PRM in accordance with articles 28, 29 and 30, and to professional operators whose annual income from the activities described in article 3 paragraph (2) does not exceed 100,000 Euro.

Article 42 – Obligations of professional operators producing PRM

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
	This article does not apply to professional operators producing and/or marketing PRM in accordance with articles 28, 29 and 30, and to professional operators whose annual income from the activities described in article 3 paragraph (2) does not exceed 100,000 Euro.

Article 53 – Registration of conservation varieties

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
1. By way of derogation from Articles 48, 49, 50, 52, 55(2), 56, 57, and 59 to 65, a conservation variety shall be registered in a national variety register if it complies with the following conditions:	**1.** By way of derogation from Articles 48, 49, 50, 52, 55(2), 56, 57, and 59 to 65, a conservation variety shall be registered in a national variety register if it complies with the following conditions:
(a) it has an officially recognised description, specifying the characteristics that qualify it as a conservation variety, in accordance with the definition in Article 3, point (29);	(a) it has an officially recognised description, specifying the ***essential*** characteristics that qualify it as a conservation variety, ~~**in accordance with the definition in Article 3, point (29)**~~;
(b) it has an indication of its initial region of origin;	(b) it has an indication of its initial region***(s)*** of origin, ***where known, except for varieties that had been initially registered on the basis of an official description;***
(c) it bears a denomination complying with Article 54;	(c) it bears a denomination, complying with Article 54;
(d) it is maintained in the Union.	(d) it is maintained in the ***Union in suitable pedoclimatic conditions*** ~~**region(s) of origin, except for varieties that had been initially registered on the basis of an official description.**~~

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
2. A conservation variety shall be registered in the national variety register upon application by a professional operator established in the Union. That application shall include all the elements referred to in paragraph 1, points (a) to (d). The competent authority shall accept or reject the registration of a conservation variety, after checking its compliance with paragraph 1.	**2.** A conservation variety shall be registered ***free of charge*** in the national variety register upon application by ***a natural or legal person a*** ~~**professional operator**~~ established in the Union. That application shall, ***in addition of the requirements of Article 56,*** include all the elements referred to in paragraph 1, points (a) to (d). The competent authority shall accept or reject the registration of a conservation variety, after checking its compliance with paragraph 1.
3. A variety shall not be listed in the national variety register as conservation variety, if:	**3.** A variety shall not be listed in the national variety register as conservation variety, if:
(a) it is already listed in the Union variety register with an official description, pursuant to Article 44(1), point (a), or it was deleted from the Union variety register as a variety with an official description within the last 2 years, or within 2 years from the expiry of the period granted pursuant to Article 71(2), or	(a) ***for varieties under Article 3 (29 a, b)*** it is already listed in the Union variety register with an official description, pursuant to Article 44(1), point (a) ***or an application for registration has been received under Article 47,*** ~~**or it was deleted from the Union variety register as a variety with an official description within the last 2 years, or within 2 years from the expiry of the period granted pursuant to Article 71(2),**~~ or
(b) it is protected by a Community plant variety right as provided for in Regulation (EC) No 2100/94, or by a national plant variety right, or an application for such a right is pending.	(b) it is protected by a Community plant variety right as provided for in Regulation (EC) No 2100/94, or by a national plant variety right, or an application for such a right is pending.***or,***
	(c) ***its parts and/or its genetic components shall not be covered by a patent as provided for in Directive (EC) No 98/44, or a national patent, or an application for such patent is pending.***
4. The officially recognised description referred to in paragraph 1, point (a), shall be based on results of unofficial tests, knowledge gained from practical experience during cultivation, reproduction and use, or other information, in particular from the plant genetic resource authorities or from organisations recognised for this purpose by Member States. The Commission may, by means of implementing acts, specify the characteristics and information that that description should cover if appropriate for specific species. Such implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).	**4.** The officially recognised description referred to in paragraph 1, point (a), shall be based on ~~**results of unofficial tests,**~~ knowledge gained from practical experience during cultivation, reproduction and use, ***where available,*** or other information, in particular from the plant genetic resource authorities or from organisations recognised for this purpose by Member States. ~~**The Commission may, by means of implementing acts, specify the characteristics and information that that description should cover if appropriate for specific species. Such implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).**~~
5. The person responsible for the maintenance of a conservation variety shall keep samples of it and, upon request, make them available to the competent authorities.	**5.** The person responsible for the maintenance of a conservation variety shall keep samples of it and, upon request, make them available to the competent authorities.

Article 68 – Varieties pursuant to existing Directives

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
1. By way of derogation from Articles 54 to 67, the competent authorities shall immediately register in their national variety registers all varieties officially accepted or registered before … [the date of the entry into force of this Regulation], in the catalogues, lists or registers established by their Member States pursuant to Article 5 of Directive 68/193/EEC, Article 3 of Directive 2002/53/EC, Article 3(2) of Directive 2002/55/EC and Article 7(4) of Directive 2008/90/EC, without applying the registration procedure set out by those Articles.	**1.** By way of derogation from Articles 54 to 67, the competent authorities shall immediately register in their national variety registers all varieties officially accepted or registered before … [the date of the entry into force of this Regulation], in the catalogues, lists or registers established by their Member States pursuant to Article 5 of Directive 68/193/EEC, Article 3 of Directive 2002/53/EC, Article 3(2) of Directive 2002/55/EC and ***varieties with an official description pursuant to Article 7~~(4)~~ of Directive 2008/90/EC,*** without applying the registration procedure set out by those Articles.
2. By way of derogation from Article 53, varieties accepted in accordance with Article 3 of Directive 2008/62/EC and Article 3(1) of Directive 2009/145/EC before… [OJ, please, insert the date of the entry into force of this Regulation] shall be immediately registered in the national variety registers as conservation varieties provided with an officially recognised description without applying the registration procedure set out by that Article.	**2.** By way of derogation from Article 53, varieties accepted in accordance with Article 3 of Directive 2008/62/EC, Article 3(1) ***and Article 21(1) of Directive 2009/145/EC and varieties with an officially recognised description pursuant to the Article 7 of Directive 2008/90/EC*** before… [OJ, please, insert the date of the entry into force of this Regulation] shall be immediately registered in the national variety registers as conservation varieties provided with an officially recognised description without applying the registration procedure set out by that Article.

Annex III

Part A – Requirements for the production and marketing of standard seeds

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
1. General requirements for the production of standard seed	**1. General requirements for the production of standard seed**
A. Sowing or planting:	A. Sowing or planting:
(a) The variety of the seed sown, including where applicable, mother plants, shall be determined to ensure its traceability. The label of the material, or the records on the mother plant, shall be kept at least for 2 years.	(a) The variety of the seed sown, including where applicable, mother plants, shall be determined to ensure its traceability. The label of the material, or the records on the mother plant, shall be kept at least for 2 years.
(b) The previous cropping of the field shall not have been incompatible with the production of seed of the species and variety of the crop, and the field shall be sufficiently free from such plants, which may have remained from previous cropping (volunteers).	(b) The previous cropping of the field shall not have been incompatible with the production of seed of the species and variety of the crop, and the field shall be sufficiently free from such plants, which may have remained from previous cropping (volunteers).
(c) The mother plants or seed shall be planted and / or sowed in a way that there is:	(c) The mother plants or seed shall be planted and / or sowed in a way that there is:
(i) sufficient distance from pollen sources of the same species and/or the different varieties, in accordance with isolation rules determined on the basis of botanical characteristics for each species and breeding techniques, to ensure protection from any undesirable foreign pollination and to avoid cross pollination with other crops, where applicable; and	(i) sufficient distance from pollen sources of the same species and/or the different varieties, in accordance with isolation rules determined on the basis of botanical characteristics for each species and breeding techniques, to ensure protection from any undesirable foreign pollination and to avoid cross pollination with other crops, where applicable; and
(ii) an appropriate source and level of pollination to ensure the subsequent reproduction, where applicable.	(ii) an appropriate source and level of pollination to ensure the subsequent reproduction, where applicable.
(d) The quality of soil, substrates, mother plants and the immediate environment shall be inspected to avoid presence of pests or their vectors, in accordance with Regulation (EU) 2016/2031.	(d) The quality of soil, substrates, mother plants and the immediate environment shall be inspected ***by the professional operator*** to avoid presence of pests or their vectors, in accordance with Regulation (EU) 2016/2031.
(e) Appropriate attention shall be paid to the machines and any equipment used to ensure absence of weed or other species, which are difficult to distinguish in laboratory tests.	(e) Appropriate attention shall be paid to the machines and any equipment used to ensure absence of weed or other species, which are difficult to distinguish in laboratory tests.
(f) Where appropriate, the production of seeds shall take place separately from the cultivation of seeds belonging to the same genera or species	(f) ~~**Where appropriate, the production of seeds shall take place separately from the cultivation of seeds belonging to the same genera or spe-**~~

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
intended for the production of food or feed, to ensure health of the material concerned.	~~cies intended for the production of food or feed, to ensure health of the material concerned.~~
(g) Where applicable, in vitro propagation may also be used for the reproduction of seeds.	(g) Where applicable, in vitro propagation may also be used for the reproduction of seeds.
B. Field production:	B. Field production:
(a) It shall be ensured that off-types, in the field, are absent. Where this is not possible due to the characteristics of the species concerned, they shall be present up to the lowest possible level. In the case of presence of off-types or other plant species, or varieties, during the cultivation stage, or during seed processing, appropriate treatment and/or elimination shall be applied to ensure varietal identity and purity of the seed, and to avoid the presence of any undesirable species.	(a) It shall be ensured that off-types, in the field, are absent, ***except for PRM belonging to conservation varieties.*** Where this is not possible due to the characteristics of the species concerned, they shall be present up to the lowest possible level. In the case of presence of off-types or other plant species, or varieties, during the cultivation stage, or during seed processing, appropriate treatment and/or elimination shall be applied to ensure varietal identity and purity of the seed, and to avoid the presence of any undesirable species.
(b) The plants shall be treated or excluded as a source of PRM in case of positive test results or visual symptoms of pests, in accordance with Regulation (EU) 2016/2031 or defects.	(b) The plants shall be treated or excluded as a source of PRM in case of positive test results or visual symptoms of pests, in accordance with Regulation (EU) 2016/2031 or defects.
(c) PRM, including, where applicable, mother plants, shall be maintained in a way to ensure the identity of the variety. That maintenance shall be based on the official description or the officially recognised description of the variety.	(c) PRM, including, where applicable, mother plants, shall be maintained in a way to ensure the identity of the variety. That maintenance shall be based on the official description or the officially recognised description of the variety.
(d) The mother plants shall be maintained in all phases of production, under conditions to enable the production of seeds, and permitting their identification and verification of compliance with the official description of their variety.	(d) The mother plants shall, ***where applicable,*** be maintained in all phases of production, under conditions to enable the production of seeds, and permitting their identification and verification of compliance with the official description of their variety.
(e) All crops in the field shall be inspected at their relevant growth stage(s), at the relevant frequency and with the relevant methods, as appropriate, for the species concerned to verify the respective requirements. The methods for inspections shall be such to ensure the reliability of the observations. If it is not possible to remove or separate non-compliant plants during the growing phase, the entire field shall be discarded for seed production, unless the undesirable seeds can be mechanically separated at a later stage.	(e) All crops in the field shall be inspected at their relevant growth stage(s), at the relevant frequency and with the relevant methods, as appropriate, for the species concerned to verify the respective requirements. The methods for inspections shall be such to ensure the reliability of the observations. If it is not possible to remove or separate non-compliant plants during the growing phase, the entire field shall be discarded for seed production, unless the undesirable seeds can be mechanically separated at a later stage.
C. Harvesting and post-harvesting:	C. Harvesting and post-harvesting:
(a) The seed shall be harvested in bulk or as individual plants, as appropriate, to ensure its identity, purity and traceability.	(a) The seed shall be harvested in bulk or as individual plants, as appropriate, to ensure its identity, purity and traceability.
(b) A sample of seed shall be taken from each lot and	(b) A sample of seed ~~**shall**~~ ***may*** be taken from each

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
tested in a laboratory to ensure the fulfilment of the quality requirements for the respective species, including germination. Testing shall include, where appropriate, retesting of germination rate after a certain period appropriate to the species concerned.	lot and tested ***by the professional operator or*** in a laboratory to ensure the fulfilment of the quality requirements for the respective species, including germination. ~~**Testing shall include, where appropriate, retesting of germination rate after a certain period appropriate to the species concerned.**~~
(c) Seed lots shall be subject to risk-based official post-control-testing to verify the compliance with:	(c) Seed lots shall be subject to risk-based official post-control-testing to verify the compliance with:
(i) their varietal identity;	(i) their varietal identity;
(ii) the standards of the minimum varietal purity;	(ii) the standards of the minimum varietal purity;
(iii) their germination capacity; and	(iii) their germination capacity; and
(iv) the plant health requirements.	(iv) the plant health requirements.
The samples used for the official post-control tests shall be taken officially.	The samples used for the official post-control tests shall be taken officially.
Appropriate bio-molecular methods may be utilised.	Appropriate bio-molecular methods may be utilised.

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
2. Requirements for marketing of standard seed	**2. Requirements for marketing of standard seed**
The seed shall fulfil all of the following quality requirements, depending on the characteristics of each genus or species:	The seed shall fulfil all of the following quality requirements, depending on the characteristics of each genus or species:
(a) have at least a minimum germination, to allow an appropriate number of plants per square metre after sowing, and consequently to secure the yield and quality of the production;	(a) have at least a minimum germination, to allow an appropriate number of plants per square metre after sowing, and consequently to secure the yield and quality of the production;
(b) have at most a maximum content of hard seed, to allow an appropriate number of plants per square metre;	(b) ~~**have at most a maximum content of hard seed, to allow an appropriate number of plants per square metre;**~~
(c) have at least a minimum purity, to secure the highest level of varietal identity;	(c) have at least a minimum ***analytical*** purity, to secure ~~**the highest**~~ ***a sufficient*** level of varietal identity;
(d) have at most a maximum moisture content, to ensure the preservation of the material during processing, storage and making available on the market;	(d) have at most a maximum moisture content, to ensure the preservation of the material during processing, storage and making available on the market;
(e) have at most a maximum content of seeds of other genera or species, to ensure the lowest presence of undesirable plants in the lot;	(e) have at most a maximum content of seeds of other genera or species, to ensure the lowest presence of undesirable plants in the lot;
(f) have sufficient vigour, defined dimension and specific grading, to ensure appropriateness of the material and sufficient homogeneity of the lot for sowing or planting;	(f) have sufficient vigour, ~~**defined dimension and specific grading,**~~ to ensure appropriateness of the material and sufficient homogeneity of the lot for sowing or planting;
(g) have a maximum presence of earth or extraneous matter, to prevent fraudulent practices and technical impurities; and	(g) have a maximum presence of earth or extraneous matter, to prevent fraudulent practices and technical impurities; and
(h) be free from specific defects and damage to ensure the quality and health of the material.	(h) be free from specific defects and damage to ensure the quality and health of the material

Part B – Requirements for the production and marketing of standard material of agricultural and vegetable species

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
With the exception of point (b)(i) thereof, Part B of Annex II shall apply accordingly for the production and marketing of standard material.	With the exception of point (b)(i) thereof, Part B of Annex II shall apply accordingly for the production and marketing of standard material. ***Part A (thereof) of Annex III shall apply for standard material of conservation varieties of agricultural and vegetable species put on the market according to Article 26.*** ***Standard material of conservation varieties of fruit species may only be marketed if it fulfils the following requirements:*** **(a)** ***it is propagated from an identified source of material recorded by the supplier;*** **(b)** ***it is true to the description of the variety, established by the observation of the expression of the characteristics of the variety, based on the officially recognised description of the variety;*** **(c)** ***it is found to be practically free from quality pests upon visual inspection carried out by the professional operator in the facilities, fields and lots where standard material is produced;*** **(d)** ***it is found to be practically free from defects, upon visual inspection. Injuries, discoloration, scar tissues or desiccation shall be considered as defects, if they affect the quality and usefulness as propagating material.*** ***If the standard material no longer complies with these requirements, the supplier shall carry out one of the following actions:*** **(a)** ***remove that material, from the vicinity of other standard material; or*** ***take appropriate measures to ensure that that material complies with those requirements again.***

Part C – Requirements for the production and marketing of standard material of vine

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
Vine rootstocks may not be marketed as standard material.	Vine rootstocks may not be marketed as standard material, ***except for PRM belonging to conservation varieties, which shall be produced and marketed according to Part B of Annex III.***
Part C of Annex II shall apply accordingly for the registration, production and marketing of selected clones, multiclonal mixtures and polyclonal PRM of standard material.	Part C of Annex II shall apply accordingly for the registration, production and marketing of selected clones, multiclonal mixtures and polyclonal PRM of standard material.

Part D – Requirements for the production and marketing of standard seed of fruit plants, vine and seed potatoes

Proposed EU PRM Regulation	ARCHE NOAH proposed amendment (in bold)
	Part B of Annex III shall apply to the marketing of standard seed of fruit plants.

ARCHE NOAH

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