Council Decision (EU) 2019/1905 of 8 November 2019 requesting the Commission to submit a study on the Union's options to update the existing legislation on the production and marketing of plant reproductive material, and a proposal, if appropriate in view of the outcomes of the study

COUNCIL DECISION (EU) 2019/1905

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THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 241 thereof,

Whereas:

(1) On 6 May 2013, the Commission submitted to the European Parliament and to the Council a proposal for a Regulation on the production and making available on the market of plant reproductive material. The proposal aimed to consolidate and update the existing legislation in order to address several areas of concern, such as: the complexity, rigidity and fragmentation of existing legislation; its non-harmonised implementation in Member States, resulting in obstacles to the establishment of a level playing field for all operators; the need to improve its alignment with other legislative acts that concern the sector and its coherence with other policies; the existence of room for cost reductions and efficiency gains; the need to adapt to technical progress in plant breeding and to the evolution of the European and global market of plant reproductive material; and the conservation of agro-biodiversity and plant genetic resources.

(2) On 11 March 2014, the European Parliament rejected the Commission proposal and called on the Commission to withdraw the proposal and submit a new one[(1)]. On 16 June 2014, the Council expressed general support for a Presidency report containing orientations for a possible revised Commission proposal. The Commission withdrew the proposal in its 2015 work programme and did not submit a new one.

(3) The Council considers that the concerns which the Commission aimed to address through its 2013 proposal are still relevant, and that a study is necessary in order to assess the options to update the existing legislative framework, in accordance with the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[(2)], and in particular paragraph 10 thereof on the application of Article 225 and 241 of the Treaty on the Functioning of the European Union,

HAS ADOPTED THIS DECISION:

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2019/1905. (See end of Document for details)*

Article 1

The Council requests the Commission to submit, by 31 December 2020, a study on the options to update the existing legislation on the production and marketing of plant reproductive material.

Article 2

1 The Council requests the Commission to submit a proposal, if appropriate in view of the outcomes of the study, or otherwise to inform the Council of alternative measures required as a follow-up to the study.

2 In accordance with the usual practice, the Council requests the Commission to ensure that the proposal is accompanied by an impact assessment.

Article 3

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 8 November 2019.

For the Council

The President

L. ANDERSSON