

Landbruksstyrelsen  
Att: Birgitte Lund

Alnarp, 25 August 2023

**Comments to "Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031, 2017/625 and 2018/848 of the European Parliament and of the Council, and repealing Council Directives 66/401/EEC, 66/402/EEC, /193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC (Regulation on plant reproductive material)**

The Danish Agricultural Agency has sent the above-mentioned EU Regulation in a public hearing. NordGen has the following comments:

The proposal for a re-vised EU regulation on the production and marketing of plant reproductive material could have a negative impact on the conservation, distribution and use of the plant genetic resources held at NordGen, as the proposed regulation is laying (possible unintended) restrictions on the work of the gene bank as regards, registration, conservation and use of the genetic resources.

Further, the proposal create uncertainty about the genetic resources held within genebanks. It is therefore suggested that it clearly in the preamble state that plant genetic resources held at genebanks for training, education, research, and innovation are exempt from this regulation.

In case, this is not possible.

As for Article 29 on PRM marketed to and between gene banks, organisations and networks. The first to paragraphs in Article 29, 1, para b could be in contradiction to the GDPR regulation and seems to be a step towards further bureaucracy.

As for Article 29, c: Genebank material has in many cases been collected decades ago and there could well be no records on plant health. Regulations on vigour, germination capacity etc from the gene bank should not be regulated in this Regulation. Although, everyone shall strive to deliver material free from quality pests and defects, it will not always be possible.

Article 39 Imports on the basis of Union equivalence. As for import of gene bank material from third countries, it may very well not be of a quality that is envisaged in the proposal. However, it could still be very valuable and important genetic material for gene banks and research programmes. To avoid complications and to continue to allow this particular genetic material into gene banks, there should be a waiver mechanism in the Regulation.

**NordGen Plants - Head Office**

Box 162, 234 23 Lomma, Sweden  
Besöksadress: Växthusvägen 12, 234  
56 Alnarp, Sweden  
Phone: +46 40 53 66 40

**NordGen Farm Animals**

Box 5003, NMBU, NO1432 Ås  
Besöksadress: Oluf Thesens vei 6,  
Ås Norway

**NordGen Forest**

P.O. Box 115, NO-1431 Ås  
Norway

As for conservation varieties. It should be considered not to make it too complicated to conserve and use these varieties. If setting the barrier too high, those valuable resources might not be distributed and used in the future.

Best regards,



Lise Lykke Steffensen, direktør

Lise Lykke Steffensen

Direktør

[lise.lykke.steffensen@nordgen.org](mailto:lise.lykke.steffensen@nordgen.org)

+46 738 171 215