

09. 01. 2014

Brussels

ARES(2014)

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Dear Mr Kelly,

Thank you for your email of 4 December 2013. Our answers to the questions of your constituent, Ms Ashley Allshire, will focus on the ornamental species.

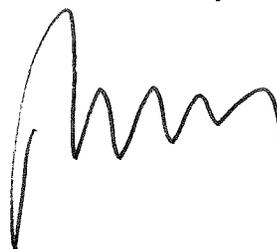
With regard to ornamentals, the purpose of the proposed legislation is to ensure consumers' informed choices. This could be ensured through the establishment of basic quality requirements, labelling and marketing with reference to a variety. Variety registration is not obligatory for the marketing of material belonging to ornamental species (species not listed in Annex I of the proposed Regulation). The lowest level of requirement is that the variety has been entered in a private list with a description. This could simply be the operators own list.

On your question of ornamental use of the so called EU listed plant species (listed in Annex I of the proposal) with more strict requirements, the Commission is looking at amendments proposed to clarify that ornamental uses of those species will fall under requirements of non-listed EU species. Compared to the current situation, any detailed requirements will thus be abolished, and there are no empowerments for the adoption of more detailed rules in the future.

Transfer of plant reproductive material solely to gene banks, organisations and networks of conservation of genetic resources or persons belonging to those organisations or networks will be out of scope of the proposed legislation. This transfer should not be seen as a commercial activity.

It is important that the marketing requirements for ornamentals remain proportionate and less burdensome than the requirements for EU listed plant species. There is a broad consensus that ornamentals should be subject to the lighter requirements as they are envisaged for non-listed species. Therefore, there will not be any impact on the profitability of the horticulture sector; on the contrary the rules will be simplified.

Yours sincerely,



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