

## Plant Reproductive Material Law: Necessary to protect Human, Animal & Plant Health?

The European Plant Reproductive Material law (PRM Law) is often justified by human, animal and plant health necessities. This allegation must however be nuanced.

- **Variety Registration** is the central pillar of the PRM Law. Criteria for variety registration are Distinctness, Uniformity and Stability (DUS). DUS allows to distinguish between varieties, which is a sine qua non condition to be granted an exclusive Plant Variety Right - a kind of “soft patent” on plant varieties. In some species, the variety has to proof higher productivity than others in a test of Value for Cultivation and Use (VCU).
- **Certification of the PRM** is the second pillar of the legislation, but refers only marginally to the sanitary state of the seeds<sup>1</sup>.

### A risk for other plants?

- Plant health will be regulated by another legislation that is part of the same package. Thus, it is the Plant Health Law<sup>2</sup> that, as a part of the Official controls regime<sup>3</sup>, will deal with both quarantine and quality pests.
- The Directive 2000/29 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community<sup>4</sup> shows, in its Annex II, that only few harmful organisms affect seeds. This proves that seeds are very resilient to harmful organisms and that plants represent much higher risks.
- Today, certification only applies to agricultural species (certified seeds). Vegetable seeds are currently sold as standard material, based on a suppliers’ label. This shows that ex post controls work perfectly. However, the new PRM regulation could extend pre-marketing tests to all species.
- “Healthy seeds” are an ideology. All PRM carry germs, as all humans do. Neither all of them are detrimental, nor do all of them make the plants sick. Like in human health, the measures taken have to be proportionate and have to regard the whole ecosystem.

### A risk for Humans and Animals?

- Do you often eat seeds? No? Note that even the food regime is not as strict as the PRM Law. It works without premarketing tests.
- There are special legislations preventing human and animal health from plant health risks.
- Traditional seeds have already proofed that they are suitable to feed humans. If they were dangerous, our ancestors would not have cultivated them!
- By its testing norms, the PRM legislation indirectly fosters seeds that grow well with the massive input of pesticides and chemical fertilizers. Those agricultural chemicals can, as numerous studies show, harm human and animal health.

✓ **The Solution:** If this legislation is designed for new industrial seeds only and is based on wrong assumptions, give a real space for other kind of seeds out of the scope of the PRM Law!

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<sup>1</sup> The testing protocols are available on most competent authorities’ websites.

<sup>2</sup> COM(2013) 267 final - [http://ec.europa.eu/dgs/health\\_consumer/pressroom/docs/proposal-regulation-pests-plants\\_en.pdf](http://ec.europa.eu/dgs/health_consumer/pressroom/docs/proposal-regulation-pests-plants_en.pdf)

<sup>3</sup> COM(2013) 265 final - [http://ec.europa.eu/dgs/health\\_consumer/pressroom/docs/proposal-regulation-ep-council\\_en.pdf](http://ec.europa.eu/dgs/health_consumer/pressroom/docs/proposal-regulation-ep-council_en.pdf)

<sup>4</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2000L0029:20060414:EN:PDF>