

Commission Implementing Directive 2014/97/EU of 15 October
2014 implementing Council Directive 2008/90/EC as regards the
registration of suppliers and of varieties and the common list of varieties

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production⁽¹⁾, and in particular Article 5(3) and Article 7(5) and (6) thereof,

Whereas:

- (1) It is necessary to set out provisions concerning the register of suppliers provided for in Directive 2008/90/EC and the notification obligations of suppliers.
- (2) For the purpose of transparency, Member States should make available that register, where appropriate. The decision whether that register, or parts of it are to be published is left to the Member States.
- (3) A variety register should be provided for. That register should include varieties registered under Council Directive 92/34/EEC⁽²⁾ in addition to those registered under Directive 2008/90/EC. That register should indicate whether varieties have an official description or an officially recognised description.
- (4) Genetically modified varieties should be registered only if the genetically modified organism of which the variety consists is authorised for cultivation pursuant to Directive 2001/18/EC of the European Parliament and of the Council⁽³⁾ or Regulation (EC) No 1829/2003 of the European Parliament and of the Council⁽⁴⁾.
- (5) The conditions under which varieties are to be registered as varieties with an official description and the procedure for their registration should be provided for. Member States may, as provided for in Directive 2008/90/EC, lay down conditions concerning the registration of a variety with an officially recognised description.
- (6) In order to register a variety as a variety with an official description, the responsible official body should establish such a description.
- (7) The period of validity of registration, the renewal of registration and the removal of a variety from the variety register should be provided for.
- (8) Member States should notify to each other and to the Commission certain information concerning registered varieties and applications for registration of varieties. Based on

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IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

that information the Commission should publish a common list of varieties to create a transparent and easily consultable database to increase the confidence on the market.

- (9) It is appropriate to repeal Commission Directive 93/79/EEC⁽⁵⁾.
- (10) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Propagating Material and Plants of Fruit Genera and Species,

HAS ADOPTED THIS DIRECTIVE:

- (1) [OJ L 267, 8.10.2008, p. 8.](#)
- (2) Council Directive 92/34/EEC of 28 April 1992 on the marketing of fruit plant propagating material and fruit plants intended for fruit production ([OJ L 157, 10.6.1992, p. 10.](#))
- (3) Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC ([OJ L 106, 17.4.2001, p. 1.](#))
- (4) Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed ([OJ L 268, 18.10.2003, p. 1.](#))
- (5) Commission Directive 93/79/EEC of 21 September 1993 setting out additional implementing provisions for lists of varieties of fruit plant propagating material and fruit plants, as kept by suppliers under Council Directive 92/34/EEC ([OJ L 256, 14.10.1993, p. 25.](#))