



## Progress Report: POLAND

**Work Package:** WP01 - Regulation & policy framework regarding production, use, and transparency of organic seed

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## 1. About the report

This report is part of the Work Package 01 of the [LIVESEED project](#), which explores EU Member States in terms of their implementation and best practices connected to the EU Organic Regulations, in the contexts of national regulatory and policy frameworks.

After the [Country Report on the National Visit](#) and the Report of the [Regional/National Workshop](#), this Progress Report shall, on one hand, reflect on actions taken by stakeholders ([blue tables](#)). Those actions have been formulated and committed to during the National workshop by the Declaration of Organic Seed (see Annex I in Report of the Regional/National Workshop), but such actions might also have been carried out by the stakeholders without having made a respective commitment before. On the other hand, this report shall elaborate developments in regulation compared to the previous reports, ergo the previous years, of the LIVESEED project ([green tables](#)).

To promote an easy assesment, actions and developments are sub-categorized into different topics, similar to those used in the workshop report.

This report has been produced in the framework of the Horizon 2020-funded project LIVESEED. The main aim of LIVESEED is to boost the production and use of organic seeds and plant breeding for organic agriculture across Europe. It is co-ordinated by IFOAM EU, and its scientific coordinator is FIBL-CH.

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## 2. Evaluation of Progress

### 1.1. Database

#### 1.1.1. Committed actions of the Declaration of Organic Seeds

##### Ewa Sadowska (PRIORIN) takes the initiative to analyse possible ways to improve the database based on recommendations mentioned in the workshop

One of the key improvements since May 2019 in the Polish organic seed database maintained by PIORIN (Main Inspectorate of Plant Health And Seed Inspection) has been its extension with information on the amount of seed material offered by the seed supplier. Moreover the lot numbers for some main crops were added.

However, an introduction of the description of variety, storage and sowing time is not foreseen for the moment. At the moment, it is also not foreseen that seed companies will have access to the database to update their offer. If the number of offers sent to PIORIN increases, the update frequency of the database could be update to more than once a month.

PIORIN with great interest follows the development and implementation of the EU router database. There is no doubt that such a tool should improve the interactivity, updateability and searchability of the existing database. The reduction of the administrative burden for organic seed suppliers would be its another strong advantage. The supply of the organic seeds for Polish farmers should also significantly increase. However, there are concerns among farmers that the price of seeds coming from foreign countries will be high.

05/2019 –  
09/2020

### 1.2. Derogations

#### 1.2.1. Regulatory and general developments concerning derogations

##### Regulatory and general developments compared to previous years of the LIVESEED project

Number of authorisations granted by PIORIN to use seed or seed potatoes not obtained by organic production methods (so called derogations) was stable in last years (2016-2018) and amounted to about 6000 per year. Cereals were the main crops covered by this derogation. This reflects the dominant position of cereals in the cropping pattern in arable organic farming in Poland. In case of non-arable crops, apple trees dominated. A list of equivalent varieties that farmers can use when the variety they ask for is not available is under development. It is expected that launching such a list should decrease the amount of granted derogations.

05/2019 –  
09/2020

### 1.3. Expert Group

#### 1.3.1. Committed Actions of the Declaration of Organic Seeds

##### The upcoming organic fairs are used by the expert group to meet and discuss further the roles of a national organic seed expert group. Coordination happens through IUNG.

There has been a special Council for Organic Farming under the Minister of Agriculture for many years in Poland. The Council is composed of stakeholders from different sectors of organic farming (research institutions, certification bodies, NGOs, farmers and farmer associations, etc.). The Council's main tasks are:

- giving opinions, consulting and proposing systemic solutions in organic farming and submitting initiatives in this area;
- to support undertakings aimed at developing organic farming and the organic food market;
- disseminating knowledge about new legal regulations and guidelines of the Ministry of Agriculture and Rural Development concerning organic farming in Poland and abroad;
- popularization of the achievements of organic farming in Poland and abroad;
- giving opinions, consulting and presenting proposals for solutions, actions and implementation of the objectives indicated in the Action Plan for Organic Food and Farming in Poland for 2014-2020.

It was agreed that there is no need to establish a second, new Council focused only on organic seeds, but

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<p>rather to establish a working/expert group for these issues within already existing Council for Organic Farming.</p> <p>So far the Head of the Council appointed three permanent working/expert groups for the following issues:</p> <ul style="list-style-type: none"> <li>- legal regulations,</li> <li>- improvement of efficiency of organic farms,</li> <li>- development of the domestic organic food market.</li> </ul> <p>The Council for Organic Farming used to meet once per quarter. However, because of the covid-19 there were no typical Council meetings since autumn 2019 until beginning of October. Most recently the Council was reconstructed, and the number of members decreased. Last meeting took place at 02.10.2020.</p> <p>Moreover, the Ministry of Agriculture within a special Fund for organic farming research is going to announce at 30<sup>th</sup> of September 2020 a call for the project aimed to analyze the organic seed market in Poland with a special focus on the scale of the supply and the demand on organic seeds. The results of this research should be the base for further steps towards improvement of the organic seed sector in Poland.</p>	
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### 1.3.2. Regulatory and general developments concerning the expert group

Regulatory and general developments compared to previous years of the LIVESEED project	
<p>The Council for Organic Farming decided on 02.10.2020 to pass an official resolution on the actions that should be undertaken in order to reverse the negative trends in organic farming development in Poland. One of the key points that will be included in this Resolution is the recommendation to introduce the subsidies for organic farmers who use qualified organic seeds.</p>	<p>Period / Date</p>

## 1.4. Research

### 1.4.1. Committed Actions of the Declaration of Organic Seeds

Wieslaw Podyma (IHAR) coordinates the formulation of a letter addressed to the Ministry concerning the barriers in the current law towards organic plant breeding together with other research institutions	
<p>In 2018 the Plant Breeding and Acclimatization Institute - National Research Institute (PBAI) provided to the Ministry of Agriculture opinion on the possibility of producing certified organic seed material. It was shown in it that one of the key barriers limiting the development of organic farming is the low availability of certified organic seeds. Due to the research specificity of the Institute, this opinion concerned mainly arable crops. The Institute has been aware of the problem of the lack of certified seeds for a long time. A number of studies carried out concerned the issues of grain, legume and potato seed production in the conditions of organic farming.</p> <p>The technical, economic and structural difficulties related to the development of the supply of organic seed material include:</p> <ul style="list-style-type: none"> <li>- lack of profitability, especially in the case of some minor species,</li> <li>- technical difficulties in the production of certain species, especially in the protection against pests and diseases,</li> <li>- organic seeds, in some cases, are more expensive than conventional ones due to the higher risk of their production.</li> </ul> <p>Actions that should be taken concern three areas related to the production of seed material:</p> <ol style="list-style-type: none"> <li>1. Increase the offer of varieties tested in organic farming conditions.</li> </ol> <p>Experiences of other countries show that most varieties suitable for cultivation in organic farming would not be approved if they were tested in conditions of conventional agriculture. It is imperative to test varieties under conditions appropriate to their intended use, especially in the case of varieties requiring economic value assessment. In Poland, the suitability of varieties for organic farming is assessed after the registration</p>	<p>05/2019 – 09/2020</p>



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<p>process is completed as part of research for organic farming, the so-called "National Organic Cultivar Testing Program (NOCTP)".</p> <p>In Poland, to the best of our knowledge, there is a very limited breeding of plant varieties intended for organic farming. The solution is to establish a financial support program for plant breeding for organic farming.</p> <p>2. Supporting the registration of regional varieties</p> <p>The second solution that can be considered complementary, is promoting the registration of regional varieties. In many cases, old varieties are sought by organic farmers. The current rules on registration, adopted for this type of material, include derogations on the quality of the seed and use the economic mechanism of the abolition of the registration fee and the fee for maintaining the variety in the register. However, the registration process is complicated.</p> <p>Practical activities on the production of certified organic seed material were initiated in 2013 by PBAI Grodkowice Breeding Station. Within this activity the Station registered three regional wheat varieties in this year: Ostka Grodkowicka and Ostka Gruboziarnista Grodkowicka, Square Head Grodkowicka.</p> <p>3. The minimum area of organic seed plantations.</p> <p>The minimum area of seed plantations shall be adequate for the seed production of conventionally bred varieties. Article 37 of the Seed Production Act provides that for the production of seed of the seed category, the certified area of seed plantations of agricultural plants may not be less than:</p> <ol style="list-style-type: none"> <li>1) 2 ha - in the case of seed of cereal plants;</li> <li>2) 1 ha - in the case of seed potatoes;</li> <li>3) 0.5 ha - in the case of other agricultural plant species.</li> </ol> <p>The main problem that occurs when qualifying seed plantations for organic farming is their infestation by weeds. Establishing smaller minimum areas should keep the plantation clean without compromising the quality of the seed.</p> <p>In 2020 PBAI proposed a special research task for organic breeding within Multiannual Agricultural Program 2021-25 financed from the budget of the Ministry of Agriculture.</p> <p>The domestic seed market currently does not have cereal plant varieties bred in conditions of organic farming. To meet this challenge, it is necessary not only to conduct research on the selection of already existing cereals varieties for organic farming, but also to assess the breeding material in such conditions what should allow a selection of prospective material for this system. The results of the planned work might be also a source of support for plant breeding companies.</p> <p>It is also very important to support the seed production process in organic conditions. This direction is currently a niche, therefore PBAI proposes a research on the optimization of seed material production in organic conditions.</p>	
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#### 1.4.2. Regulatory and general developments concerning research

Regulatory and general developments compared to previous years of the LIVESEED project	
<p>In 2019, Wiesław Podyma from Plant Breeding and Acclimatization Institute - National Research Institute (PBAI) received from a special Fund for Organic Farming Research of the Ministry of Agriculture. The 1 year grant, among others, focused on evaluation of newly produced oat breeding lines for organic farming and searching for genotypes with high resistance to diseases while maintaining high nutritional quality.</p> <p>Post-registration organic evaluation of varieties is on-going in Poland.</p>	<p>Period / Date</p>

### 1.5. Training/Information/Communication

#### 1.5.1. Committed Actions of the Declaration of Organic Seeds

#### IUNG initiates educational actions based on their developed network of field trials to demonstrate



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### to farmers the advantages of using organic seeds

In 2018 IUNG-PIB in cooperation with the Research Centre for Cultivar Testing (COBORU) established in Poland the National Organic Cultivar Testing Program (NOCTP). In 2018 organic field trials started for winter (rye, wheat, triticale) and spring cereals (barley, oat, wheat). As a result of this testing, a list of recommended cultivars for organic farmers is being developed. The IUNG collaborates with the Centre for Agricultural Advisory Services for the dissemination of results among farmers. In the period from 05 2019 to 09 2020, the following activities were conducted to target various groups of recipients, including advisors and farmers:

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1. Jończyk K.: Field experiments on comparing different farming systems in Osiny, Plant protection in organic production system. Agricultural Training Center in Okszków - 22 persons.
  2. Jończyk K.: NOCTP. Plant protection in the organic system - Wielkopolska Agricultural Advisory Centre in Poznań - 4 persons.
  3. Jończyk K.: Long term experiment on comparing different crop production systems in Osiny. Research on the selection of varieties for organic farming - NOCTP. The Centre of Agricultural Education in Jabłoń - 18 persons.
  4. Jończyk K.: Visit of farmers and administration employees within the project: "NATURE-LOCALLY - a campaign for the creation of short supply chains in the Łomża district".
- Presentations:
- Organic farming as a specific system of agricultural production.
  - Plant protection in organic farming - principles, problems, selected research results.
  - Research on the selection of varieties for organic farming -- NOCTP.

28.05.2019

30.05.2019

20.06.2019

26.09.2019

Traditionally, open field days for farmers and advisors were planned for late May/early June. However, due to the covid-19, almost all of them were cancelled.

### 1.5.2. Regulatory and general developments concerning training/information/communication

#### Regulatory and general developments compared to previous years of the LIVESEED project

In October 2020, Polish national authorities launched one-year postgraduate studies "Organic farming" for 183 agricultural advisors all over Poland. The topic of organic seeds will be included within this study. In this way a communication platform will be established to transfer this knowledge in the next step directly to farmers. In parallel to this, Polish national authorities are planning to launch a training campaign (also covering the topic of organic seeds) all over Poland for 4800 organic farmers and farmers interested to convert into organic.

2020 - 2021

## 1.6. Production and Use of Organic Seeds

### 1.6.1. Committed Actions of the Declaration of Organic Seeds

#### Dorota Metera monitors the drafting process of the new action plan for Poland (2020-2026) concerning the inclusion of organic seed production issues and makes recommendations based on the suggestions made during the workshop

On 4 of September 2020 Janusz Wojciechowski, Agriculture and Rural Development Commissioner announced that „in the frame of the strategy „From farm to fork“ the Commission will support the organic sector towards the achievement of the 25% target of agricultural land under organic farming by 2030 with the appropriate policy and legal framework“. The public consultation of the

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<p>roadmap is open until 23 October and on the Action Plan - until 27 November. The Member States will also develop and consult own Action Plans. The share of organic farming in Poland in 2019 is appr. 3,1% of UAA. One of the barriers is the availability of organic seed and vegetative planting materials. First meeting on the new National Strategic Plan took place on 1 of July 2020 in the Ministry of Agriculture and Rural Development, but there is no document for consultation yet. The drafting of the Action Plan for Organic Farming hasn't started yet and no documents are available at the moment.</p>	
<p><b>Marcin Moczulski initiates a survey to farmers on seed and variety demand</b></p>	
<p>The survey has been not conducted. The following information comes from the experience the company gathered on the Polish market (mainly based on communication with its main customers -organic farmers):</p> <p>The demand for seeds for market organic production is strongly linked to the sale of a given crop. Valuable varieties particularly appreciated by the producer are a minority. Changes of varieties and seeds are frequent and are caused by the price and availability of seeds in a given season. Production of organic vegetable seeds is developing quite dynamically in Poland. In 2020, new amber coloured eco-friendly seed treatment has been introduced for organic seeds, as opposed to NCT seeds - white seed treatment and conventional ones - green seed treatment. Seed production plans are created on the basis of the sale of previous years and a sense of prosperity for individual vegetable species. However, organic production is more stable than conventional. NCT seeds are still sought after, especially when production contracts are concluded late, e.g. in spring. Lack of seed treatments for conventional seeds, e.g. cucumber, leek, asparagus, makes it easier to access NCT seeds which blurred the picture of how many seeds went into organic production. The turbulence on the market of registration or lack of registration for chemical seed treatment in conventional vegetables is intensified by unexpected changes on the seed market. At the same time, there are new trends, e.g. in France for the production of conventional vegetables in the zero residue certified formula. This is a new strong competition for organic production.</p>	<p>05/2019 – 09/2020</p>

1.6.2. Regulatory and general developments concerning production and use of organic seeds

<p><b>Regulatory and general developments compared to previous years of the LIVESEED project</b></p>	
<p>Farm-saved seeds are still the main source of seeds in organic farms in Poland. According to the opinion of main companies selling organic seeds, situation on the market is stable or rather slightly downward. In general since 2013 organic farming in Poland in terms of farm area and number of farmers is in regression. Between 2013 and 2019, organic area decreased by about 25% from 670 000 to 508 000 ha and the number of organic farms decreased by 30% from 26 598 to 18 637.</p>	<p>Period / Date</p>

1.7. Other

1.7.1. Committed Actions of the Declaration of Organic Seeds

<p><b>Agnes Bruszik IFOAM EU reaches out to the representative of the Ministry, Bartosz Pytlak, to communicate the different suggestions concerning subsidies for farmers</b></p>	
<p>The recommendations were sent, with a couple of reports attached to the mail.</p>	<p>October 2020</p>



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### 3. Summary of Progress

- Some minor improvements have been made regarding the functionality and the update frequency of the database, for example the addition of the number of available lots. However, seed producers are still not allowed to add and modify offers in the database.
- While the number of derogations remain stable, a list of equivalent varieties (that farmers can use when the variety they ask for is not available) is under development. Outcomes from organic field trials that started in 2018 are flowing into the process of constructing this list. This list is a good step and has the potential to decrease the amount of granted derogations.
- Poland does not have an expert group on organic seed but rather intends to establish a working group on organic seed within the already existing council on organic production. A new project is planned to analyze the organic seed market in Poland, with a special focus on the scale of the supply and the demand on organic seeds. This project could be very useful to shed more light on the organic seed market in Poland and suggest actions to improve production and use of organic seed.
- As outlined in a letter to the ministry that was already sent in 2018, Poland has technical, economic and structural difficulties related to the development of the supply of organic seed material. This includes (1) lack of profitability, especially in the case of some minor species, (2) technical difficulties in the production of certain species, especially in the protection against pests and diseases, (3) organic seeds, in some cases, are more expensive than conventional ones due to the higher risk of their production. A proposal to introduce subsidies for organic farmers who use qualified organic seeds could be a crucial step to address some of these problems.
- In general, the decreasing area of organic land, coupled with a great amount of farm-saved seed used, makes for difficult conditions for the market of organic seeds to develop.



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## Annex I: Overview of Organic Regulation

The following tables show relevant articles in the organic regulation and give support to the evaluation on national developments/progresses in this report.

### 1.1. Database (T1)

EC No 889/2008	
<b>Article 48: Database</b>	<p>1. Each Member State shall ensure that a computerised database is established for the listing of the varieties for which seed or seed potatoes obtained by the organic production method are available on its territory.</p> <p>2. The database shall be managed either by the competent authority of the Member State or by an authority or body designated for this purpose by the Member State, hereinafter referred to as 'manager of the database'. Member States may also designate an authority or a private body in another country.</p>
<b>Article 49: Registration</b>	<p>3. Each Member State shall decide in which period of the year the database has to be regularly updated for each species or group of species cultivated on its territory. The database shall hold information with regard to that decision.</p>
<b>Article 51: Registered information</b>	<p>1. For each registered variety and for each supplier, the database referred to in Article 48 shall contain at least the following information:</p> <ul style="list-style-type: none"> <li>(a) the scientific name of the species and the variety;</li> <li>(b) the name and contact details of the supplier or his representative;</li> <li>(c) the area where the supplier can deliver the seed or seed potatoes to the user in the usual time needed for the delivery;</li> <li>(d) the country or region in which the variety is tested and approved [...]</li> <li>(e) the date from which the seed or seed potatoes will be available;</li> <li>(f) the name and/or code number of the control authority or control body in charge of the control of the operator</li> </ul> <p>2. The supplier shall immediately inform the manager of the database if any of the registered varieties are no longer available. The amendments shall be recorded in the database.</p> <p>3. Besides the information specified in paragraph 1, the database shall contain a list of the species listed in Annex X (Species for which organically produced seed or seed potatoes are available in sufficient quantities and for a significant number of varieties [...]).</p>
<b>Article 52: Access to information</b>	<p>1. The information in the database referred to in Article 48 shall be available through the internet, free of cost, to the users of seed or seed potatoes and to the public. [...]</p> <p>2. The Member States shall ensure that all users [of seed and seed potatoes] are informed, at least once a year, about the system and how to obtain the information in the database.</p>
<b>Article 53: Registration -fee</b>	<p>3. Each registration may be subject to the levying of a fee, which shall represent the cost of inserting and maintaining the information in the database [...]. The competent authority of the Member State shall approve the amount of the fee charged by the manager of the database.</p>



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## 1.2. Derogations (T2)

EC No 889/2008	
<b>Article 49: Registration</b>	2. Any variety which has not been registered in the database shall be considered as unavailable.
<b>Article 6: Specific principles applicable to agricultural activities</b>	(i) without prejudice to Article 14 of Regulation (EC) No 2100/94 and to the national plant variety rights granted under Member States' national law, the possibility for farmers to use plant reproductive material obtained from their own farms in order to foster genetic resources adapted to the special conditions of organic production;
<b>Article 45: Use of seed or vegetative propagating material not obtained by the organic production method</b>	<p>3. Species for which it is established that organically produced seed or seed potatoes are available in sufficient quantities and for a significant number of varieties in all parts of the Community are set out in Annex X. The species listed in Annex X may not be subject of authorisations pursuant to paragraph 1(b), unless these are justified by one of the purposes referred to in paragraph 5(d).</p> <p>4. Member States may delegate the responsibility for granting the authorisation referred to in paragraph 1(b) to another public administration under their supervision or to the control authorities or control bodies referred to in Article 27 of Regulation (EC) No 834/2007.</p> <p>5. Authorisation to use seed or seed potatoes not obtained by the organic production method may only be granted in the following cases:  <b>(a)</b> where no variety of the species which the user wants to obtain is registered in the database referred to in Article 48  <b>(b)</b> where no supplier, meaning an operator who markets seed or seed potatoes to other operators, is able to deliver the seed or seed potatoes before sowing or planting in situations where the user has ordered the seed or seed potatoes in reasonable time;  <b>(c)</b> where the variety which the user wants to obtain is not registered in the database referred to in Article 48 and the user is able to demonstrate that none of the registered alternatives of the same species are appropriate and that the authorisation therefore is significant for his production;  <b>(d)</b> where it is justified for use in research, test in small-scale field trials or for variety conservation purposes agreed by the competent authority of the Member State.</p>
<b>Article 45: Use of seed or vegetative propagating material not obtained by the organic production method</b>	<p>6. The authorisation shall be granted before the sowing of the crop.</p> <p>7. The authorisation shall be granted only to individual users for one season at a time and the authority or body responsible for the authorisations shall register the quantities of seed or seed potatoes authorised.</p> <p>8. By way of derogation from paragraph 7, the competent authority of the Member State may grant to all users a general authorisation:  <b>(a)</b> for a given species when and in so far as the condition laid down in paragraph 5(a) is fulfilled;  <b>b.</b> for a given variety when and in so far as the conditions laid down in paragraph 5(c) are fulfilled</p> <p>9. Authorisation may only be granted during periods for which the database is updated in accordance with Article 49(3)</p>
<b>Article 54: Annual report</b>	1. The authorities or bodies designated to grant authorisations in accordance with Article 45 shall register all authorisations and shall make this information available in a report to the competent authority of the Member State and to the manager of the database.
<b>Article 55: Summary report</b>	The competent authority of the Member State shall, before 31 March each year, collect the reports and send a summary report covering all authorisations of the Member State from the previous calendar year to the Commission and to the other Member States.[...] The information shall be published in the database [...]. The competent authority may delegate the task of collecting the reports to the manager of the database.



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