

# EXCLUSION OF SOYBEAN SEEDS FOR SOWING FROM THE SCOPE OF THE EU DEFORESTATION REGULATION

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## Executive Summary

The current scope of the EU Deforestation Regulation unintentionally captures soybean seeds for sowing, which are not associated with deforestation dynamics. Including these seeds imposes disproportionate obligations on the EU seed and plant breeding sector without contributing meaningfully to the Regulation's environmental objectives, while going against the objectives of the EU Vision for Agriculture and Food:

- Soybean seeds for sowing belong to a distinct, highly controlled value chain and represent negligible trade volumes, with no influence on land-use change or deforestation risk.
- Seeds are already subject to robust certification, testing, and traceability systems.
- The requirements introduce costly and complex due diligence obligations that are ill-suited to the scale and nature of seed sector operations (strong SME footprint).
- Additional barriers to accessing germplasm will constrain breeding activities and limit the development of resilient, high-performing soybean varieties in Europe.
- Applying the EUDR to seeds for sowing risks undermining efforts to strengthen EU plant protein production.

Clarifying that soybean seeds for sowing fall outside the scope of the EUDR would be a proportionate and environmentally neutral adjustment, ensuring the Regulation remains focused on products that drive deforestation. Euroseeds and its members therefore call on the European Commission to exempt soybean seeds for sowing from the scope of EUDR.

The **EU Deforestation Regulation** 2023/1115 (“EUDR” or “Regulation”) aims to ensure that products placed on the Union market or exported from the EU do not contribute to deforestation or forest degradation. While the Regulation targets certain commodities and products linked to deforestation, its current scope would unintentionally include soybean seeds for sowing (CN code heading 1201). As argued below, this inclusion would impose disproportionate burden on the European seed and plant breeding sector, while in effect not contributing meaningfully to the environmental objectives of the EUDR. This inclusion would additionally conflict with key objectives laid out in the **EU 2025 Vision for Agriculture and Food**, namely reducing unnecessary regulatory burden, strengthening EU resilience and strategic autonomy in key sectors (e.g. protein crops), and fostering innovation and future-proofing the agri-food sector.

Euroseeds and its members therefore call onto the European Commission to exempt soybeans for sowing from the EUDR. As the umbrella association for the seed and plant breeding sector, Euroseeds represents more than 70 direct company members and more than 35 national associations, standing for several thousand seed enterprises covering all stakeholders across the full plant breeding and seed production value chain which accounts for >€10bn annual turnover and employs more than 50,000 people. The sector is at the root of Europe’s agri-food systems and is major driver of economic, environmental and social sustainability.

## 1. Soybean seeds for sowing are not a driver of deforestation

The EUDR’s scope includes both, soybeans as commodity soybeans (i.e. to be used for food, feed or crushing), and soybean seeds for sowing (i.e. used for further breeding purposes or for crop production in Europe), suggesting that both could be equally derived from deforested areas and/or contribute to deforestation. This does not reflect the structural differences between the two value chains. Soybeans for sowing are part of a distinct, highly controlled value chain separate from commodity production. It cannot be associated with larger-scale agricultural expansion and possible deforestation. 2024 import data from the Eurostat COMEXT database clearly demonstrates that soybean seeds for sowing are not a driver of deforestation (see Annex I):

- 0% of soya beans imported into the EU from Brazil and Argentina in 2024 were for sowing purposes.
- Only 0.2% and 0.3% of soya beans imported from the US and Canada, respectively, were destined for sowing, further confirming the negligible risk.
- A significant portion of soybean seeds for sowing in the Union are produced within Europe or in neighbouring countries with low deforestation risk. For instance, 26% of soya beans imported from Serbia were for sowing.

Taken together, these figures demonstrate that soybean seeds for sowing represent a negligible share of soybean trade flows and do not materially influence production patterns or land-use decisions in exporting countries. As such, their inclusion in the scope of the EUDR does not contribute to reducing deforestation risk.

## 2. Stricter Traceability Requirements for Seeds

The current application of the EUDR to the entire CN code 1201 does not distinguish between commodity soybeans for feed and crushing, which are associated with deforestation risk, and soybeans seeds for sowing, which belong to a fundamentally different value chain. This results in a regulatory approach that treats materially distinct products in the same way, creating an incoherent and disproportionate application of the Regulation within Annex I.

- The established seed-specific regulatory traceability requirements de facto exclude non-compliance and unregulated practices. All soybeans for sowing imported to the EU are subject to extensive controls, including at customs (phytosanitary and GMO-detection tests). Existing regulatory controls include certification and testing requirements and allow competent authorities to distinguish seed material from commodity flows, supporting traceability and compliance within the seed sector.

Seed companies and commodity traders both operate within the agricultural market, but they do so from different perspectives and under distinct regulatory frameworks. As such, the inclusion of seeds (i.e. soybeans for sowing) under the EUDR imposes additional compliance obligations and costs on seed companies that are disproportionate to the scale and specific nature of their operations.

### **3. Excessive burden on the seed sector and SMEs**

The EUDR was designed to target agricultural crop expansion linked to deforestation, not the already highly regulated seed sector. Plant breeders and seed producers in Europe already comply with stringent quality and transparency requirements and respective regulatory procedures. A significant share of seed and plant breeding stakeholders are small- and medium- and enterprises (SMEs), operating locally with limited resources to anticipate and comply with EU-level regulations. There is a total of 58 private and public organisations that have listed the 814 soybean varieties registered on the [EU Common Catalogue](#). 45 are from private operators, of which 21 (ca. 47%) are SMEs. Including soybeans for sowing into the EUDR scope would thus:

- Impose unnecessary due diligence obligations on seed companies, including geolocation data collection and risk assessment, that are costly and complex.
- Place a disproportionate burden particularly on SMEs, which often lack the resources to comply with those complex and recurrent requirements.
- Risk delaying market-entry of seeds, disrupting supply chains and planting schedules as well as reducing access to high-quality seeds for EU farmers.

Keeping soybean seeds for sowing under the EUDR with that runs counter to the 2025 Vision for Agriculture and Food's objectives of reducing unnecessary regulatory burden, strengthening competitiveness and innovation, particularly for SMEs.

### **4. Genetic Diversity and Innovation**

Breeding is a cornerstone of agri-food value chains. Access to diverse genetic material is essential for developing new, resilient and high-performing varieties adapted to European conditions and climate change.

The inclusion of seeds for sowing in the EUDR discourages the import of breeding material from outside the EU due to compliance burden. This would aggravate the already limited access to genetic material for further breeding in Europe. Soybean breeding in Europe faces challenges due to a narrow genetic base and limited access to diverse germplasm, especially from North America. This stems from few ancestral lines and limited maturity groups, constraining development of cultivars with improved protein quality, functionality, and greater environmental stability.

Understanding how genetic variation influences soy protein properties is crucial for optimizing performance across various applications for food and feed. Restricted access to North American germplasm, where diversity is greater, further limits genetic gain in European breeding programs.

Addressing these constraints is essential for accelerating progress and ensuring the long-term competitiveness and sustainability of soybean cultivation in Europe.

## 5. EUDR and Protein Plan

Including soybeans for sowing into the EUDR's scope would hamper the EU's efforts to increase protein production on the continent. It is contrary to the objectives of the 2025 Vision for Agriculture and Food and the upcoming EU Protein Plan which aim to strengthen the EU's plant protein production.

The EU aims to diversify its protein sources. Current soybean supply mainly stems from the United States and Brazil for raw beans (accounting for ca. 80% of imports) and soybean meal imports are dominated by Brazil and Argentina (together ca. 85–90%)<sup>1</sup>. While all of these imports are GMOs, soybean production in the EU is non-GM and variety breeding is thus additionally limited by the narrow European genetic base as mentioned above.

### PROPOSED LEGAL SOLUTIONS

Clarifying that soybean seeds for sowing are out of the scope of the EUDR would be a legally sound and environmentally neutral adjustment. It would ensure that the EUDR remains focused on its core objective of preventing deforestation while aligning the Regulation with its intended purpose and the need to remove unnecessary burdens for the seed sector.

Euroseeds therefore proposes the following legal solutions:

1. Targeted legislative amendment to Annex I, row 6 ("Soya") of the EUDR:
  - a. Replace the commodity code heading "*1201 Soya beans, whether or not broken*" with "*1201 9000 Soya beans, whether or not broken: Other*".  
or
  - b. Alternatively, retain the code Heading 1201 but add the exception "*(excluding certified soya bean seeds for sowing)*". This approach would be consistent with other exclusions provided in Annex I of the EUDR, for example crude palm oil:

1513 29 Palm kernel and babassu oil and their fractions, whether or not refined, but not chemically modified (excluding crude oil)
2. Issue a formal European Commission Interpretative Notice to clarify that soybean seeds for sowing are not within the scope of the EUDR.

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<sup>1</sup> [https://agriculture.ec.europa.eu/markets-and-prices/markets/oilseeds-and-protein-crops\\_en](https://agriculture.ec.europa.eu/markets-and-prices/markets/oilseeds-and-protein-crops_en)