

**SUMMARY REPORT OF THE MEETING OF THE STANDING COMMITTEE ON
“SEEDS AND PROPAGATING MATERIAL FOR AGRICULTURE, HORTICULTURE AND
FORESTRY” HELD ON 25 AND 26 SEPTEMBER 2006**

Chairman: Mr. Valvassori.

All Member States were present except Luxemburg which was represented by Belgium. Bulgaria, Romania, Norway and CPVO participated as observers.

1. POSSIBLE DRAFT COMMISSION DECISION RELEASING ROMANIA FROM THE OBLIGATION TO APPLY FOR CERTAIN SPECIES THE COUNCIL DIRECTIVES ON THE MARKETING OF SEED OF VARIETIES OF AGRICULTURAL PLANT SPECIES.

Romania confirmed its request to be authorised to market in its own territory for a period of three years following the date of accession seeds of varieties listed in its national catalogues of varieties of agricultural plant species which have not been accepted in accordance with the provisions of the Council Directive 2002/53/EC on the Common Catalogue of Varieties.

Romania stated that the request does not cover 11 GMO varieties of Soya beans currently still admitted in its official national catalogue.

The Committee considered sympathetically the request.

2. ANNUAL OECD MEETING “SCHEMES FOR THE VARIETAL CERTIFICATION OF SEED MOVING IN INTERNATIONAL TRADE” HELD ON 8-11 AUGUST 2006.

Mr. Mantila (Finland –the Council Presidency which presented the EC common positions in the OECD meeting) summarised the results of that meeting.

The following items have been identified with a view to a possible follow-up:

- mandate of the Working Group on Varietal Identity and Purity;
- experiment on increasing the maximum lot size of Gramineae seed;
- provision for forage seed mixtures (a letter from Portugal was noted);
- isolation distances for hybrid cotton;
- varietal association of maize;
- seed equivalence between EU and other OECD countries.

3. SPECIFIC CONDITIONS UNDER WHICH SEED AND PROPAGATING MATERIAL OF AGRICULTURAL AND VEGETABLE SPECIES MAY BE MARKETED IN RELATION TO THE CONSERVATION *IN SITU* AND THE SUSTAINABLE USE OF PLANT GENETIC RESOURCES.

The Committee continued to discuss on the basis of a working paper prepared by the Commission services (SANCO) in April 2006.

After discussions the Committee suggested that further consideration should be given to the following critical points, in addition to a possible revision of the quantitative restriction:

- should a reference to the International or Community Acts representing the developments in relation to the conservation *in situ* be limited to the recitals of the Draft, or extended to cover also other parts?
- should the derogation measures applicable to seeds produced in their own territory be an option or a compulsory rule for a Member State?
- should the “definitions”, which have been basically taken from International or Community Acts, be revised to take into account the reality represented by the current consolidated system on the marketing of seed?
- to what extent should an application for listing a “conservation” or an “amateur” variety be prohibited, if the same variety was previously officially listed as a “normal” variety?
- should seed production be allowed or not in regions other than those of origin or adaptation of the variety?
- should a special colour be envisaged for the labels provided for the packages of seed of “conservation” and “amateur” varieties?

4. DRAFT COMMISSION DIRECTIVE AMENDING COUNCIL DIRECTIVE 92/33/EEC ON THE MARKETING OF VEGETABLE PROPAGATING AND PLANTING MATERIAL OTHER THAN SEED AND COUNCIL DIRECTIVE 2002/55/EC ON THE MARKETING OF VEGETABLE SEED (DOC. SANCO/2222/05, 21.9.2006).

Council Directives 2002/55/EC (former 70/458/EEC) and 92/33/EEC respectively establish rules on the marketing of vegetable seed and vegetable propagating and planting material other than seed.

The proposal amends the two Directives with the aim of:

- ensuring that both cover the same genera and species. At the same time their scope will be extended to cover maize sweet corn and pop corn (following requests from new Member States).
- aligning the botanical names with those accepted internationally (ISTA List of Stabilised Plant names, and Grin Taxonomy).

This alignment also covers both onions and shallots. Their botanical names should become, at the level of species “*Allium cepa* L” for both and at the level of group of

varieties “*Allium cepa* L. (Cepa Group)” for Onion and Echalion and “*Allium cepa* L. (Aggregatum group)” for Shallots.

During the discussion the following concerns have been expressed:

- the inclusion of maize sweet and pop corn is not coherent with the common agricultural policy;
- *Allium oschaninii* should be covered;
- the authenticity of certain botanical and common names is doubtful;
- the use of the word “partim” to restrict the scope of the Directive should be avoided;
- the revision is contrary to the initiative “Better Regulation”.

Voting: favourable opinion by qualified majority (263 for, 58 abstentions).

5. DRAFT COMMISSION DIRECTIVE AMENDING DIRECTIVE 2003/91/EC SETTING OUT IMPLEMENTING MEASURES FOR THE PURPOSES OF ARTICLE 7 OF COUNCIL DIRECTIVE 2002/55/EC AS REGARDS THE CHARACTERISTICS TO BE COVERED AS A MINIMUM BY THE EXAMINATION AND THE MINIMUM CONDITIONS FOR EXAMINING CERTAIN VARIETIES OF VEGETABLE SPECIES (DOC. SANCO/1108/05, 21.9.2006).

Commission Directive 2003/91/EC lays down implementing measures based on Council Directive 2002/55/EC on the marketing of vegetable seed. The Directive determines the characteristics and minimum conditions for examining vegetable species.

New test guidelines related to the above have recently been issued in respect of certain species by the Community Plant Variety Office (CPVO) in the framework of Community plant variety rights. Other test guidelines have been updated. Furthermore UPOV has recently issued new guidelines, or updated existing ones.

Moreover, the scope of Directive 2002/55/EC will be amended in order to cover new plants and to take account of internationally recognised changes in the taxonomy of certain plants.

This amendment also covers both onion and shallots. It should also be noted that the CPVO protocol adopted by its Council administration on 14 June 2005 in relation to DUS-testing of onions and shallots is included in this draft.

During the discussion, in addition to the concerns mentioned under item 4 above, it was suggested that the implementation of the CPVO protocol in order to distinguish shallots from onions may present problems. On this point the Commission (SANCO E.1) stated that if after an application, a MS or the Commission have doubts as regards the designation of the variety in question as shallot, the Commission services will organise expert meetings to discuss the case.

Voting: favourable opinion by qualified majority (263 for, 58 abstentions).

6. MISCELLANEOUS

The Committee noted:

- (a) A letter dated 26 July 2006 sent by the Commission to the OECD as regards the possible revision of the current OECD scheme for the Control of Forest Reproductive Material.
- (b) An overview of recent requests from Member States as regards the permission to market seeds not satisfying the requirements in respect of the minimum germination.
 - (aa) CZ, wheat, date of the request 1 September, quantity requested 18.588 t., deadline 17 September, quantity authorised 15.287 t.
 - (bb) AT, wheat, date of the request 6 September, quantity requested 1.200 t., deadline 21 September, quantity authorised 1.150 t.
 - (cc) AT, rye, date of the request 6 September, quantity requested 850 t., deadline 21 September, quantity authorised 850 t.
 - (dd) HU, durum wheat, date of the request 11 September, quantity requested 1.360 t., deadline 26 September, quantity authorised 1.360 t.
 - (ee) HU, wheat, date of the request 25 September, quantity requested 500 t., deadline 10 October.
- (c) Denmark is facing a problem with *Bromus sterilis* in cereals. Denmark envisages implementing a zero-tolerance for this species in propagating fields and in seed of cereals comparable to the rules against *Avena fatua*. In addition Denmark would like either to have the same zero-tolerance in the cereal seed Directive or to implement this zero-tolerance for seed sold in Denmark but originating from other countries. Denmark prepares a paper for the Committee including statistics on its findings for a future meeting.
- (d) Mr. Theobald (CPVO) informed the Committee on the ongoing strategic discussion launched by the CPVO in 2005, on the future modalities of DUS-testing in the EU. Apart from Member States, the EU Commission as well as breeders organisations are involved. Participants agreed that discussions should also cover DUS-testing in view of national testing. Quality requirements, the monitoring of those as well as a possible accreditation of examination offices were considered. Final conclusions are to be expected by the end of the year.
- (e) The Commission (Advisor to the DDG) gave an update on the various consultations and discussions it had had already on possible extension of the activities of the CPVO in the seed marketing sector (with the Administrative Council of the CPVO, with the Standing Committee on seeds and propagating material of plants, the Standing Committee on propagating material and plants of fruit genera and species, the Standing Committee for propagating material and ornamental plants and with the European Seed Association). After further consultation (e.g. CIOPORA, Commission Legal Service) the services of the Commission intend to set up a working group (experts from DE, DK, FR, HU, NL, ES, CPVO) to start discussion on a possible extension of the activities of the CPVO as regard variety denomination.

- (f) Mrs. Pavlovska (BG) reported that in her country only the sunflower varieties resistant to Orobanché may be grown. Seed of a non resistant variety is prohibited.

Marco Valvassori
Head of Sector Material for Plant
Reproduction

List of participants to be joined to the Summary Report

Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry

Date 25-26 September 2006

Member State	Ministry or organism	Number of participants
BE	Ministère de la Région Wallonne Ministerie van de Vlaamse gemeenschap	1 1
CZ	Central Institute for Supervising and Testing in Agriculture (ÚKZÚZ)	1
DK	Ministry of Agriculture, Food and Fisheries	1
DE	Bundesortenamt	3
EE	Ministry of Agriculture	1
EL	Ministry of Rural Development and Food	1
ES	Ministerio de Agricultura	2
FR	Ministère de l'Agriculture GNIS	2
IE	Dept of Agriculture & Food	1
IT	Ente Nazionale Sementi Elette (ENSE) Ministero delle Politiche Agricole e Forestale	2
CY	Ministry of Agriculture - Department of Agriculture	1
LV	Ministry of Agriculture	1
LT	Ministry of Agriculture	1
LU		
HU	National Institute for Agricultural Quality Control	2

MT	Ministry for Rural Affairs and Environment	1
NL	Ministry of Agriculture, NAK, Naktuinbouw	3
AT	AGES	1
PL	COBORU, PIORIN	2
PT	Ministry of Agriculture	1
SI	Ministry for Agriculture, Forestry and Food	1
SK	Central Institute for Testing in Agriculture (UKSUP), RP Slovakia	2
FI	Ministry of Agriculture and Forestry	1
SE	Swedish Board of Agriculture	1
UK	DEFRA	2
BG	Executive Agency for Variety Testing and Seed Control	1
NO	Ministry of Agriculture and Food Norwegian Food Safety Institute	2
IS		
RO	Ministry of Agriculture, Forestry & Rural Development	1
CPVO	Community Plant Variety Office	1
COM	European Commission	4