



**SUMMARY REPORT OF THE MEETING OF THE STANDING COMMITTEE ON
“SEEDS AND PROPAGATING MATERIAL FOR AGRICULTURE, HORTICULTURE AND
FORESTRY” HELD ON 14 SEPTEMBER 2007**

Chairman: Mr. Flueh item 1, Mr Gennatas item 2, Mr. Foletto other items.

All Member States were present, except Estonia and Luxemburg. For the purpose of the vote, Estonia mandated Lithuania and Luxemburg mandated Belgium. Latvia was absent during the vote and not represented.

The CPVO and Norway participated as observers.

1. INFORMATION ABOUT THE DOSSIER CONCERNING DRAFT DEROGATIONS, IN THE FRAMEWORK OF PLANT GENETIC RESOURCES, FOR MARKETING OF PLANT REPRODUCTIVE MATERIAL THREATENED BY GENETIC EROSION.

The Commission informed that the draft decision (SANCO/3322/2006 Rev. 12) which was submitted to the opinion of the Standing Committee on 17 April 2007, was suspended during the subsequent written procedure. In order to provide a further improved conservation in situ and a sustainable use of plant genetic resources, it is now planned to lift the geographical restrictions for the marketing of seeds of these conservation varieties.

Many MS raised concerns that this amendment could lead the possibility to have an appropriate control of such market based on quantitative restrictions combined with geographical restrictions. Almost all delegates reiterated the urgent need for a legal text and raised the concern that the currently foreseen date of 30 June 2008 for the implementation in national legislation is difficult to meet with this new delay.

The Commission informed that a new draft, including the above mentioned amendment, should be submitted for opinion at the next SC meeting foreseen for 9 November 2007.

2. REPORT ON THE ACTIVITIES OF THE WORKING GROUP ON A POSSIBLE EXTENSION OF THE ACTIVITIES OF THE COMMUNITY PLANT VARIETY OFFICE IN THE SEED SECTOR.

The Commission reported on the activity of the Working Group on the above subject. This "brain storming" Working Group composed of 8 experts from Member States, 2 experts from the CPVO and 3 experts from the Commission held four meetings between January and June 2007 and decided to focus its discussions on a possible extension of the activity of the CPVO mainly on the following activities:

- Possible centralisation and management of "Variety Denomination" both for Community Plant Variety Rights and for the Marketing seed sector.
- Possible co-ordination and management on D.U.S and V.C.U. tests, on National listing, and on the Common Catalogues of new varieties of plants.
- **As regards "variety denomination", the Members of the Committee agreed with the first conclusions of the Working Group: a centralised system for variety denomination can only benefit if all the Member States enter and make use of the system .**
- **As regards technical tests the representative of the Member States agreed on a possible role of the CPVO on the management of D.U.S. tests but not on VCU tests.**
- **As regards National Listings, they agreed on the legal responsibility which should remain to the Member States;**
- **For National listing and the management of the Common Catalogue, the CPVO could act as an outsource service for the Member States and may be of some help for the breeders.**

Some Member States were concerned about the necessity that the proposed new centralised system on Variety Denomination should be efficient, i.e. to be sure that the Commission will not be opposed to a decision of a certain denomination at the end of the process, after it has been approved at national level or at CPVO level. Furthermore, Member States want to be sure that the new system on variety denomination avoids "simultaneous different decision" on a variety denomination, such as, for example, a different decision is taken at the same time at CPVO level and at a national level for the same proposed denomination.

The Commission mentioned that a further meeting of the Working Group should take place soon and should focus on a possible management and co-ordination of the Common Catalogue by CPVO in the future. The Commission then added that the conclusions of this working group should be transmitted, on request, to the evaluators on the "EU seed sector".

3. FOLLOW-UP OF THE ANNUAL OECD MEETING "SCHEMES FOR THE VARIETALS CERTIFICATION OF SEED MOVING IN INTERNATIONAL TRADE" HELD ON 12-13 JULY 2007.

Mrs. Carvalho (Portugal – 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:

- Developing a strategic OECD plan for the seed certification;
- Variety eligibility for OECD certification scheme;
- International trades and use of synonyms in varietal denomination;

- Provision for forage seed mixtures;
- Isolation distances for hybrid cotton;
- seed equivalence between EU and other OECD countries.

4. DISCUSSION AND POSSIBLE OPINION ON A DRAFT COMMISSION DIRECTIVE AMENDING COUNCIL DIRECTIVE 92/33/EEC TO EXTEND THE DEROGATION RELATING TO IMPORT CONDITIONS FOR VEGETABLE PROPAGATING AND PLANTING MATERIAL FROM THIRD COUNTRIES (DOC. SANCO/1968/07)

A draft Commission Decision providing for an extension of the derogation relating to import conditions for vegetable propagating and planting material from third countries was submitted to discussion and vote. Member States noted that it should be appropriate to provide information to the **evaluators on the "EU seed sector" about the implementation of that derogation, in particular, as regards species, and quantities imported.**

Vote: majority.

5. MISCELLANEOUS / DIVERS

The Committee noted:

- a. an information (supplied by Portugal) about the planning of the Council WG meetings as regards seed and propagating material planned for 24 Sept (fruit plants Directive), 12 Oct (Plant Breeders Rights) and 16 Nov. (fruit plants Directive).
- b. Requests for Member States regarding permission to market seed not satisfying the requirements in respect of minimum germination:
 - b(a) France, *T. durum*, date of request 28.08.07, quantity requested 48.000 tons, deadline 12.09.07;
 - b(b) Austria, *Secale cereale* winter, date of request 05.09.07, quantity requested 1.100 tons, deadline 20.09.07;
 - b(c) The Netherlands, *T. aestivum* winter, date of request 12.09.07, quantity requested 1.100 tons, deadline 27.09.07;
 - b(d) Ireland, *T. aestivum* winter, date of request 13.09.07, quantity requested 4.000 tons, deadline 28.09.07;
 - b(e) Germany informed that a request for winter *Secale cereale* will be submitted.
- c) The Commission provided information about the implementation of Reg. 217/2006 laying down rules for the marketing of seed of agricultural crops not satisfying the requirements in respect of the minimum germination. Based on the experience achieved, it was agreed that information to be provided, as set out in Article 3, should be clear and complete, in particular, as regards point 3(d) "supporting document explaining the reason for the request". The Commission provided information about new procedures for the publication on its website of the conditions to be applied.

- d) Working programme. Following the request submitted by Italy, the Commission informed that the planning of activities, as agreed by the Committee at the meeting of 11 January 2007, is applied for the short term period based on the availability of resources.
- e) An information (supplied by France) on the adoption by OECD of the Scheme for the Control of Forest Reproductive Material Moving in International trade. This new scheme refers to two categories of FRM "source identified" and "selected". Based on the PT proposal, Member States agreed to create a WG (ES, FR, NL, PT, SI, and SE) to cooperate with the Commission in preparing the technical conditions to be included in a possible draft Council Decision concerning the equivalence of FRM imported from third countries.
- f) Listing of *Cannabis sativa* on the Common catalogue. The Commission received information by Member States that all varieties of *C. sativa* listed on the Common Catalogue are tested before their listing as regards the THC content by applying the Community method set out in Annex I to Regulation (EC) No 796/2004. All those varieties have a THC content not exceeding 0.2% as set out in Article 52(1) of Reg. (EC) No 1782/2003. It was acknowledged that it is not necessary to add information about the THC content under column 4 of the Common Catalogue.

List of participants



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