1. **Draft Commission Decision repealing certain decisions authorising the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species.**

   This Decision would repeal all the authorisations granted by the Commission in the past to UK to prohibit in its territory the marketing of seed of certain varieties listed in the Common catalogue of agricultural plant species. The United Kingdom has notified the Commission that it no longer wishes to avail itself of the said authorisations.

   Voting: favourable opinion by unanimous vote.


   This Directive would lay down certification standards for hybrids of self-pollinating cereals, including self-pollinating Triticale.

   Voting: favourable opinion by unanimous vote.

3. **Draft Commission Decision authorising the Member States to permit temporarily the marketing of seed of certain species not satisfying the requirements of Council Directives 66/401/EEC or 69/208/EEC.**

   This decision would allow for a limited period the marketing of seed meeting less stringent requirements in order to overcome difficulties in supply experienced in Finland and Sweden.

   Voting: favourable opinion: 67 for and 20 abstentions.

4. **Accelerated inscription of additional varieties.**

   The Committee noted a working paper listing 149 varieties notified by the Member States since 21 January 1999 and considered by the Commission as eligible for listing in the Common Catalogue of Agricultural Plant Species.
Furthermore the Committee noted in respect of the maize variety "L G 22. 36 Allstar", that the doubts on its denomination formulated in the meeting of 14 and 15 December 1998 have been removed.

As a point of information the Member States were asked if all the varieties subject to accelerated inscription to the Common Catalogue included any GMO variety. All delegations stated that, to the best of their knowledge, they did not.

The Committee noted that, pursuant to Article 15(4) of Council Directive 70/457/EEC, the delegations of all Member States stated that their respective countries did not intend to lodge any application under the procedure laid down in Article 15(2) of that Directive in respect of these 150 varieties, which were accepted in the other Member States and for which the communications provided for in Article 10(1) and (2) of the said Directive were made.

5. COMMUNITY COMPARATIVE TRIALS AND TESTS.

The Committee noted a written progress report on matters arising from the various 1998 meetings of the group of experts. The Committee agreed to discuss in depth, once the various final reports will be available.

The Committee also noted the available draft schedule for 1999 of visits to the Community comparative trials and tests, including the specifications in respect of the envisaged invitations to OECD and UPOV. In respect of the agendas of those meetings, a suggestion to discuss the following particular technical topics was supported:

- **Oilseed rape:** varietal purity standards for parent lines and hybrids.
- **Potatoes:**
  1. The possible need for certification standards for powdery scab and virus Y necrotic tuber necrosis strain and the technical problems associated with the introduction of such a standard.
  2. Cutting of large tubers in certified seed production particularly in relation to varieties that are genetically predisposed to produce a small number of large tubers.
- **Spring barley:** A re-examination of the statistical principles and use of reject numbers in post control tests.
- **Cotton:** Should ‘multiline’ varieties be considered as single varieties.
- **Seed testing:** The appropriate statistical techniques for the comparison of performance in different laboratories.

Finally the Member States have been invited to submit suggestions on the Community comparative trials and tests on seeds and propagating material of agricultural and vegetable plants following the 1999 harvest.

6. OECD DOCUMENTS ON “FIELD INSPECTIONS” AND “OFFICIAL MEASURES”.

(a) Field inspection – doc AGR/CA/S(98)32

The document contains an OECD draft, voluntary guideline, collated from the combined experiences of several countries’ Designated
Authorities. This guideline suggests a general framework which Designated Authorities may find useful when licensing/accrediting personnel for the field inspections, including seed company’s employees. Designated Authorities may adapt or build on this guideline to meet their specific needs so long as they comply with the conditions of OECD Council Decision C (95)161/FINAL.

The Committee regretted that this guideline does not address to provisions which are nevertheless compulsory.

(b) Official measures – doc AGR/CA/S/(98)33

This paper suggests that when an action is described as being done ‘officially’ it can include the activity of both official and accredited/licensed personnel, if this is approved by the Designated Authority. The important criteria is that it is under the responsibility of the Designated Authority and according to defined procedures. Consequently the OECD Rules already allow the authorisation of accredited personnel to carry out sampling, labelling and sealing.

The Committee noted in the area of field inspections that in accordance with the recent amendments to the EU Council Directive (Dir. 98/96/EC) there is for the Member States a possibility to choose between official examinations or examinations carried out under official supervision. The same could apply to other activities such as seed sampling and seed testing for which a recent Commission Decision (98/320/EC) has introduced the possibility of using authorised personnel. The sealing of packages officially or under official supervision is also permitted by the Directives. Whether or not the activity is conducted as an official examination or under official supervision, the result should be considered acceptable for the purpose of an official decision taken in accordance with the EU Directives. The same position needed to be achieved within the OECD Rules.

7. CURRENT PROVISIONS ON EXAMINATION OF WILD OATS (LETTER DATED 10 SEPTEMBER 1998 FROM DENMARK).

Council Directive 66/401/EEC on the marketing of fodder plant seeds requires the carrying out of seed testing to assess freedom from the noxious seeds of Avena fatua, Avena ludoviciana or Avena sterilis (wild oats). Denmark asked for an amendment to the above mentioned directive to omit such seed testing, in cases where the seed crop during field inspection has been found free from plants of wild oats.

An exchange of views took place. The special conditions concerning wild oats in the Community seed legislation (in particular Commission Directive 74/268/EEC and Commission Decision 74/269/EEC) should be considered.

Finally the Committee suggested that the Group of Rapporteur on Seed Testing (Jensen, Vasallo, Lechappé, Girsch and Cooper) should study this subject.
8. **DRAFT EPPO CERTIFICATION SCHEME FOR SEED POTATOES (EPPO DOC. 98/6958/EPPO)**

EPPO (European and Mediterranean Plant Protection Organisation) has prepared a draft certification scheme for seed potatoes. This is intended to be used by National Plant Protection Organisations or equivalent organisations under their control, in their capacity as bodies responsible for the design of systems for the production of healthy seed potatoes, for the inspection of such potatoes proposed for phytosanitary certification and for the issue of certificates. According to EPPO, this scheme complements the existing UN/ECE standard on the production and marketing of seed potatoes (UN/ECE, 1994) and is fully compatible with it. It presents requirements for the production of certified seed potatoes to a certain standard with regard to a number of important pests. The scheme takes account of the fact that a number of these important pests are quarantine pests for other countries. Moreover, some of these important pests may be subject to national regulations which have the objective of containing or eradicating the pests concerned. As a consequence, seed potatoes produced for domestic use or export in a particular country may have to satisfy additional requirements for such pests. This scheme cannot include all such requirements, which will differ according to the countries concerned. However, the scheme draws attention to the probable existence of such requirements when it refers to the pests which are regulated in this manner in many EPPO countries.

The Commission services draw the attention of the Committee to the need of assessing the consistency of the EPPO draft with the Community legislation on the quality of seed potatoes (directives 66/403/EEC and 93/17/EEC).

Several Member States stated that currently the certification schemes applied to seed potatoes produced in their own countries, are already compatible with the EPPO draft.

9. **OTHER BUSINESS**

The Committee noted that:

(a) A meeting of a Group of Rapporteurs (Van Eylen, Rutz, Guiard, Van Ettekoven and Austin) to be held in association with the Community Plant Variety Office is scheduled for 4 March 1999, to discuss variety denominations. The aim of such a meeting is to continue the discussion already started in March last year. Considerations will be given to the preparation of the implementing measures in accordance with the recent Council Directive 98/96/EC. In fact this directive provides, in the area of agriculture and vegetable plants, the possible adoption of detailed implementing rules as to the suitability of denominations of varieties.

(b) A draft of a new complete edition of the Vegetable Common Catalogue will be published soon. The Commission services recalled that the work of preparation is carried out by NAKG (NL). A first preliminary draft has already been circulated in the meeting of the Standing Committee which took place on 20 January 1999. The Member State were then invited to check whether the list of notifications is exhaustive, to indicate which of the new varieties is a GMO variety within the meaning of Council Directive 90/220/EEC and whether the information reported is accurate.
Except varieties notified by NL as GMOs, all delegations (other than Italy and Norway for which a written statement was announced) stated that to the best of their knowledge their notifications did not include GMO varieties. Several Member States urged the Netherlands to check whether the notified GMO varieties met the requirements of Council Directive 90/220/EEC (GMOs) and Regulation (EC) No 258/97 of the European Parliament and of the Council (novel foods). In the absence of the relevant authorisations, seed of these varieties cannot be placed on the market in any Member States and the varieties should not be accepted for inclusion in any official catalogue.

(c) A supplement to the 20th complete edition of the Common Catalogue of agricultural plant species will be published on OJ C 63 A, 5 March 1999. This supplement includes all the varieties accepted, through accelerated procedure, during the period February 1997 – September 1998.

Copies of the “official list of varieties 1998/99 published by the Norwegian Agricultural Inspection Service” and of the “1999 list of the varieties recommended for use in Icelandic agriculture, horticulture and land reclamation” have been circulated.

On the occasion the Commission services recalled that the work to prepare a new complete edition is currently being carried out with the technical assistance of GEVES (E). A first preliminary draft will be circulated soon and a meeting of a Working Party to examine such a draft is scheduled for 12 and 13 April 1999.

(d) The Common Catalogue of varieties of agricultural plant species as well as of vegetable species will be included on UPOV-ROM/Plant Variety Database.

(e) A report was received from Austria on the participation in the temporary experiment on the marketing of seeds of hybrids and varietal associations of suede rape and turnip rape.

(f) A notification was received from Austria on the participation in the temporary experiment on the marketing of seed in bulk to the final consumer.

(g) Sweden urged the Commission to consider the implementing measures to be taken under Council Directive 98/95/EC.

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Director

NB: The measures on which the Committee has given an opinion are subject to the appropriate procedure for final approval by the Commission