



EUROPEAN COMMISSION
Impact Assessment Board

Brussels,
D(2012)

Opinion

Title

DG SANCO - Impact assessment on the placing on the market and production, with a view to placing on the market, of plant reproductive material

(Resubmitted draft of 23 February 2012)

(A) Context

The EU legislation concerning plant reproductive material (PRM) has led to guaranteed quality standards, as well as a highly competitive sector, supplying the European market with high quality products. The EU is the world's largest PRM exporter, with more than 60% of the worldwide export value. However, the sector is highly concentrated, and barriers to the internal market remain in place. The proposal aims at promoting the efficiency of the PRM management system by simplifying existing EU legislation (12 Council Directives) and by avoiding unnecessary burdens for operators and public administrations. Finally, PRM legislation should better reflect the role of plant reproductive material for biodiversity and climate change, and not only producer productivity. This Impact Assessment focuses on the various options to replace the existing Directives.

(B) Overall assessment

The revised report has been significantly improved but still needs some further work on a number of issues. Firstly, it should still strengthen the evidence base for the issues described in the problem definition. Secondly, the intervention logic should be further improved by reformulating the objectives to better address the issues raised in the problem definition, and by explicitly clarifying trade-offs between the objectives. Thirdly, the presentation of expected impacts will need to include more quantitative information and the options should be compared in terms of effectiveness, efficiency and coherence against the baseline scenario. Finally, stakeholder views on particular aspects of the problem as well as on the presented options should still be presented and referred to much more clearly.

(C) Main recommendations for improvements

(1) Strengthen the evidence base of the problem definition. The report should give clearer references to evaluation results and recommendations, where possible differentiating the information for relevant sub-sectors (ornamental, forestry, etc). The description of the current market structure in the EU and international market developments should still be presented in more quantitative detail, with proper references to the underlying studies or stakeholder contributions.

(2) Improve the intervention logic and the presentation of objectives. The report should redesign the objectives to better address the issues raised in the problem definition. Trade-offs between objectives, for instance between strengthening competitiveness of producers (especially SMEs) and reducing the implementation costs for competent authorities, still need to be more explicitly identified. The report should clearly indicate to what extent introducing a full-recovery regime would constitute a proportionate measure in the light of the stated objectives.

(3) Improve the presentation of the impacts and the comparison of options. Although the report now presents a combination of elements from the original options as a new option 6, it should still clearly state to which extent certain elements in the options are mutually incompatible. The report should still make an effort to provide aggregate figures for costs and benefits of the options across sectors. The presentation of the comparison of options should incorporate the available quantitative information on costs and benefits of the different options, and the options should be more explicitly compared with the baseline. Finally, the report should compare the options on the criteria of efficiency, effectiveness and coherence rather than only compare the achievement of the objectives.

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

(D) Procedure and presentation

The references to stakeholder input received in the public consultation should be made more systematically throughout the report. The report should always clearly indicate how stakeholders' opinions have been taken into account, or why the Commission has deviated from their suggestions.

(E) IAB scrutiny process

Reference number	2011/SANCO/008
External expertise used	No
Date of IAB meeting	Written procedure An earlier version of this report was submitted to the IAB in December 2011, for which the Board has issued an opinion on 20 January 2012