

**Minutes of the Spring Technical Committee Meeting of EESNET
Held in Bratislava, Slovakia, on May 12-13, 2010
(Draft)**

Participants:

<i>Serbian Seed Trade Association :</i>	Svetlana Balesevic-Tubic
<i>European Seed Association:</i>	Garlich von Essen
<i>Slovak Association of Seed Traders and Breeder (SASTAB):</i>	
Ľudovít Sleziak, Ján Beňovský, Ing. Rudolf Zajac, Vladimír Dugovič, Marián Varga, Vladimír Sedlák, Gyula Zalabai, Eduard Šmelko, Rudolf Zajac ml.	
<i>Czech Seed Trade Association:</i>	Jan Grůza, Jan Prášil, Ladislav Rosenberg, Vlasta Horka
<i>Polish Seed Trade Association:</i>	Karol Duczmal
<i>Hungarian Seed Trade Association</i>	László Láng, Szabolcs Ruthner
<i>Institute for Seed and Seedlings, Croatia</i>	Ivan Đurkić
<i>Slovensko-GIZ Semearstvo Slovenije</i>	Primož Štuhec

Excused: George Hedesan, Nedelcu Gheorghe (National Seeds Association of Romania)

Programme:

1. Development of the usage of the certified seed (information from country representatives)
2. EU legislative development
3. Discussion and Proposal for the solution - the formulation of the collective efforts and next steps
4. ESA/EESNET development (ESA proposal presented by Garlich von Essen)
5. AOB

Opening, welcome and approval of the agenda

Mr. Rosenberg welcomes all participants. He first gives the floor to Mr. Sleziak, president of SASTAB hosting the TC meeting. Mr. Sleziak welcomes the participants again and appreciates having the honour of hosting the meeting of the TC meeting of EESNET.

1. Development of the usage of the certified seed (information from country representatives)

Mr. Rosenberg invited participants to say if there is some news in their countries, regarding seed industry.

Mr. Rutner said that in Hungary is lower, but no so dramatic sell of certified seed (CS) in 2010. We will expect level of 25-27 % CS. We hope that farmers are able to sell their production and to buy CS. We established company for royalty collection. It brings some money for breeders from usage of the farm saved seed.

Mr. Láng added Mr. Rutner. Mr. Lang informed that there is problem to predict of multiplication every year and it brings overproduction of seed. Generation of certified seed is not divided into generation C1 and C2 in Hungary. There is only certified seed. Regarding FSS farmers realised that they have to pay for the FSS.

Mr. Štuhec gave some information from Slovenia. The national breeding programme does not exist in Slovenia. Regarding the usage of the CS – its level of cereals CS 82-90 % in the past dropped now to only 40%. We support ESA Code of conduct to prevent to suspicious seed lots of forage crops and grasses.

Mr. Đurkić said that in Croatia is stable situation in the seed sector. We have a good situation in using certified seed. The usage of CS is on the level 100 % at soybean, barley and spring winter. We have not black market. Croatia has not a member of EU until 2012, after that we are expected changes in the seed trade.

Mrs. Balešević-Tubić reported the situation in Serbia. We have not had any regulation in the Seed law regarding FSS yet. However last year we put in force the law of Plant breeding rights, which regulates the usage FSS. Now we are preparing tools regarding FSS. The government of Serbia did not support the usage of CS no longer, so we notices decrease of CS, at soybean is level of usage CS is about 70% but less in cereal seed 50-60 %. The domestic breeding company solve the problems with collecting royalties.

Mr. Duczmal said that in Poland there is problem with very low level of usage CS. Now it is about 8.2 %. In Poland there are 2 000 seed companies which do not have enough money and exchange of certified seed is not satisfied. We have also problems with overproduction. This year we prepared new Seed Law, which should come into force in autumn. The costs of breeding are higher than obtaining money from seed, very poor situation now in the breeding companies. Nowadays the definition a small farmer is 10 ha, but there is opposition and proposal is to change size up to 100 ha.

Mr. Sleziaĳ described situation in Slovakia. The share of sales of CS is reached level of 40-45 % and as a consequence is the increase of usage FSS. We think Slovakia has well functional system of Royalty collection on Farm Save Seeds. Recently we have problems with CS and FSS of unprotected varieties or with the Commission Directive for example **Directive 2100/94** which provides an EU-wide protection for new plant varieties.

Mr. Zalabai added Mr. Sleziaĳ in the situation in cereals specially wheat. He noticed that it is necessary to promote the usage of CS and find to way how to reach.

Mr. Rosenberg showed in his presentation that the decrease of usage CS in the Czech Republic, Sale of the certified seed dropped down for the problem in agriculture mentioned last year and continuing economic crisis. These factors had negative influence on the sale of the spring crops 2009 (-15 % in the relation to 2008), however the usage of the certified seed in the spring kept above-average level about 73 %. The sale of certified seeds of the winter cereals in 2009 rapidly declined (-25 % in the relation to 2008). The usage of the certified seed reached level only 49 %. There is a widespread belief that this negative trend will continue in 2010. This situation has very negative impact on the breeding financing. Usage of the certified seed only on 56 % of the cereals sowing area brings financial losses about 6 millions Euros for cereal breeders or theoretically 3 million Euros of the remuneration if all varieties are protected and all farmers including small farmers pay. The decrease of the certified seeds usage continues in the spring sowing 2010. Estimation of the indicates a further decrease of the spring cereals about 11 % (spring barley 17 %)

Romania - written report: According to AMSEM opinion, in Romania seed market is deteriorating year by year as certified seed is used less and less. If certified seed in 2004 was used about 70% of the main crops cultivated area, in 2007 fell to 60%.

In 2010 we estimate that, together with the economic crisis, the area will drop below 50% especially in self-pollination species. Even for corn we estimate farm saved seeds are used for about 30-40% of the cultivated area.

Our view is that ESA and COPA- COGEGA must inform the EC Commission of the need to regulate the obligation to provide direct financial aid for area sowing with certified seed or meet European seeds quality standards.

2. EU legislative development

Chairperson gave floor to Mr. Rosenberg for your presentation regarding of EU legislative development especially the issue of the Intellectual Property Protection and Variety listing and Seed Marketing Regulation. He noted the problems of the definition of the Farmer exception and he highlighted the necessity of improving of current situation. The prepared legislation is aimed at the simplification of variety listing and its cost reduction. There are appeared themes concerning DUS and VCU harmonization and possible centralization. Mr. Rosenberg is warning participants against the territorial testing proposals that should be disadvantage for small companies. (e.g maize proposal).

3. Discussion and Proposal for the solution - the formulation of the collective efforts and next steps (proposal in the special attachment)

Mr. Dugovič reports the proposal to amend the terms of legislating to the marketing of seed of varieties of vegetable species in the EU level. The proposal is concerned to legislation of the Commission Directive 2009/97/EC of 3 August and the CPVO Technical Protocols according to which the DUS tests are performed contain also so called disease resistance characteristics. Nowadays some of these are obligatory. Transposition of the Commission Directive 2009/97/ES in the national legislation increases costs of the breeding process, restricts freedom of enterprise, affect competitive reactions makes the monopolisation of the breeding process. In this connection SASTAB asked the Slovakia Republic and ESA for revaluation of the issues of DUS test in October 2009. The matter was discussed in the meeting ESA and CPVO in December 2009. ESA promised to prepare other meeting 16.3. 2010 and invite interested people. However we and Czech colleagues who support our initiative, did not receive any invitation in the March meeting. From the reason we prepared material for the revaluation of the issues - Letter no. 14162/2010 (In the attachment) and underline again importance of legislation. Mr. Dugovič asks Mr. Essen for the support the proposal by ESA representatives in the next meetings of EU Standing Committees. We believe our proposal is reasonable and the proposed change will be accepted. We trust ESA protects interests of all ESA members. Mr. Dugovič addresses all EESNET representatives for supporting SASTAB proposal.

Mr. Prášil as a viceprezident of CSTA fully supports Slovakian proposal regarding DUS test in vegetable. He added Mr. Dugovič that the effectiveness of the CPVO Technical Protocols of the mandatory resistance test does not solve the problem of the breeding materials, work in progress and new varieties formed between 10-15 years. We think that this problem maybe appear in the future in field crops too. It means that breeders need to have time, maybe overarching period, to prepare new breeding materials according to new legislation. He also sees disagreement between declaration of resistance and definition of homogeneity. From this reason the statement of food safety is wrong. Mr. Prášil added that he and Czech vegetable

section strong feel that SVO section is enclosed group of big vegetable companies. He thinks ESA does not represent interests of small companies are dealing in the vegetable. We know during last Annual meeting 2009 was closed meeting of the SVOwic the day after. He underlines that many representatives of smaller companies are interested in learning about the work in the vegetable Section and that therefore an open meetings should be held in the context of the Annual Meeting again next year.

Mr. G. von Essen took a floor to express ESA attitude regarding specific request of ESA members on the change of legislation

At first he rejects that ESA is not a “club” of large companies, all members can have their representatives in various working groups of ESA. National associations regularly receive information from ESA secretariat regarding for example issue of Better regulation and it is very important for communication with ESA to come information back from ESA members. If we ask for some request coming from our members you will be sure, that we discuss the issue in the appropriate working group or section. However the positions on the specific requirements show divergence between members. We also guarantee the final ESA positions are discussed with CPVO regarding DUS, VCU or CPVO Protocols. We solve all requirements of our members. The Czech association asked for an open meeting of the Section Vegetables (SVO) organised during the Annual Meeting not only a closed meeting of the SVOwic the day after. And ESA approved to open again the SVO meeting during the Annual meeting.

He underlines that if members or companies have specific points, please inform ESA or directly me and your points will be discussed in the working group. Regarding CPVO- there are reasonable people who are reasonable and defend interests of breeders. If you find that the testing obligations regarding CPVO protocols are difficult to fulfill please inform ESA. Legally way is explanation to CPVO, who are open to discussion we try to find the best solution.

4. ESA/EESNET development (ESA proposal presented by Garlich von Essen)

Mr. Essen took a floor with his presentation concerning the proposal of the **full integration of EESNET into ESA**. The European seed industry should speak with one voice. The input from ESA to EESNET and its meetings should therefore be phased out. ESA is capable and willing to address specific needs or issues of its Eastern European Members within the ESA organisation. This specifically concerns the possible need for a regional trade meeting. Support for a parallel organisation with some ESA Members having double membership is considered inappropriate. Mr. Essen also mentioned the financial support of CEECs with continuation of the rebate for membership fees for them until 2013. ESA shall start to alternate its Annual Meeting between Brussels and other European countries/cities with effect of 2011..By this, ESA wishes to address concrete requests from its membership as well as allow for trade meetings to be held in Eastern European countries and with that at potentially lower travel costs for representatives from those countries which could also boost participation and acceptance for the integration of EESNET into ESA. ESA decided to move Annual Meeting outside of Brussels to CEECs (Budapest 2011).

Discussion to the ESA proposal

The TM participants mostly declare support to idea one joint autumn meeting under ESA administration and expressed their support to the last EESNET meeting 2010.

Mr. Rosenberg on behalf CSTA announced the CSTA Board decision from March 2010 to cancel EESNET Annual Meeting in Prague and reasons for its cancelling.

In regard to disagreement of the Slovakian, Serbian and Croatian Association there were agreed these **conclusions concerning EESNET**:

- *The date in November of the scheduled EESNET meeting 2010 is available for possible a new organiser of the EESNET meeting and interested association should inform co-ordinate centre Novi Sad by end of the May 2010.*
- *Co-ordinate centre will analyze the situation in the EESNET members from the point of view of their interest to participate in the appropriate EESNET Technical Meeting, Prague, November 2010 (before the end of July)*
- *Participants express their support to the idea to organize the regular Co-ordinate Technical Meetings of the Seed Associations interesting in*

Next meeting conclusions

- *Statement of the SASTAB regarding DUS and the registration procedure of the vegetables was supported by CSTA too and was accented demand for an interim period. EESNET members are asked for their support of the SASTAB statement.*
- *All participants in the meeting strongly support the enforcement of the rights of breeders in regards to large decrease of usage certified seed.*

5. Any other business

Chairperson thanked all participants for their attendance and contributions and closed the meeting at 1 p.m.