



ESA NEWSLETTER

May 2012

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ESA Meetings (selected)

- **06.06.2012**
ESA WG Biotech Meeting
- **20.06.2012**
ESA WG Biodiversity Meeting
- **20.06.2012**
ESA WG Plant Health Meeting
- **20.06.2012**
ESA CRLA Dinner Meeting
- **21.06.2012**
ESA CRLA Meeting

Dear Members,

the possible progress of negotiations between Member States (and the European Parliament) on the future EU Patent has kept the Secretariat very busy over the past 4 weeks.

The dossier had been blocked for quite some time due to the competition between France, Germany and the UK for the seat of the future patent court (Paris, Munich and London being in the race and strongly supported by the respective national government). For ESA, this blockage provided us with some extra time to continue our push for an inclusion of a breeders exemption into the EU patent, based on the ESA Position on IP.

As you know, we have been working on this point for quite some time already. And we successfully lobbied the European Parliament's Committee for Industry and Research to include a respective amendment in its opinion on the legislative proposal. Unfortunately, this amendment was not taken over by the leading EP Committee for Legal Affairs in its vote. This was not due to a fundamental disagreement of MEPS with the concept of the breeders exemption or with the concrete text proposed! It was mainly related to the general wish of Parliament to finalise the legislative procedure with Member States within a single reading.

In order to do so, Parliament needed a clear signal from the Council of Ministers that Member States would be willing to support such a concept in the new Patent Regulation – and that political signal did not come in time. Consequently, the current draft text of the EP does not contain our desired formulation for a breeders exemption. But there are still possibilities to put things right!

On May 12th, the EP passed a non-legislative resolution in relation to the patentability of plants and animals. This resolution must be seen mainly as a political statement and signal by the EP towards Council and Commission, but also to the EPO and its Board of Appeal as well as the wider public. As we have informed you, the actual text has some flaws as regards (legal) terminology and most specifically was not absolutely in line with what had been proposed and supported earlier for the breeders exemption; nevertheless, it showed that there is a broad support in Parliament for a limitation of patentability in line with the Broccoli decision of the EPO and with the ESA Position and for a breeders exemption in the (new) EU patent law.



External Meetings (selected)

- **07.06.2012**
NUNHEMS Lab
opening Ceremony
Nunhems (NL)
- **11.—15.06.2012**
UPOV TWV
Venlo (NL)
- **11. - 14.06.2012**
ISTA AM
Venlo (NL)
- **19. - 20.06.2012**
EFSA Stakeholder
Consultative
Platform
Brussels (BE)
- **23.—28.06.2012**
ISF World Seed
Congress
Rio de Janeiro
(BRA)
- **09. - 13.07.2012**
OECD
Annual Meeting
Helsinki (FI)

Based on this development and in line with the mandate given by the ESA Board, we made use of this opportunity to once again stress our point towards the Member States (which are now in the drivers seat for showing support for including the breeders exemption in the final negotiations) and invited responsible staff of Permanent Representations and Ministries together with representatives of Council and Commission and European Parliament for a dinner debate on the subject.

All institutions and 15 countries followed our invitation and –based on an introductory presentation of the ESA Position and the reason for our insistence on the inclusion of a breeders exemption into the EU patent- we had very constructive and positive as well as informal discussions at the individual tables. It is important to note that all representatives expressed their understanding and clear support for the ESA Position on this specific point, including specifically the Parliament, the Commission and our colleagues from COPA-COGECA, the European farmers organization.

At the end, the Danish Presidency assured us that they are willing to raise the item again in future discussions if there is sufficient support for that by the Member States. It therefore important for us to now follow up on this successful lobbying event with individual contacts on national level (towards Ministers and administration) and this is mainly a task for our association members.

At Brussels level, the Secretariat will continue to work on PermReps, the Commission, the Council Secretariat, but also on Brussels based media to keep/bring the item on the political agenda. As we stated it at the end of the meeting: we must not let it happen that such a strategic political decision, that is moreover supported by all relevant parties, in the end is blocked not for policy, but solely for procedural reasons.

There is still a lot to be done and there is by no means a guarantee that we will in the end manage to achieve our goal. But we have a good chance, provided we continue to make our points towards the responsible bodies and individuals, in Brussels and in Member States.

We are looking forward to continue this important work together with you, our members.

With best regards, yours

Garlich v. Essen, Secretary General



ESA meets DG SANCO regarding the ESA proposal for an EU classification scheme for seed potatoes

On Wednesday May 2nd Gerard Backx, SPO Chairman, and the Secretariat met Mrs Mannerkorpi and Thomas Weber (both in DG SANCO) and further clarified the ESA position regarding the harmonization of the EU classification scheme for seed potatoes. The meeting focussed on the most important element of the proposal which is the standardisation and limitation of the number of generations in basic seed and certified seed with the aim to provide transparency to the customer. In addition the legal base was addressed as certain Member States mix up the concept of Plant Breeders Rights and Seed Marketing. An important element in this respect is the difference in the duration of PBR in different Member States which can result in the fact that PBR of specific varieties is expired in certain countries but still in place in other countries.

The Standing Committee on Seeds has re-discussed the ESA proposal on May 8th and has agreed to most parts of the proposal. However the discussion on flexibility continues. It is expected that the Commission will finalise the proposal later this year. (BS)

ESA discusses with COPA-COGECA the impact of the revised CAP on permanent pastures

On May 4 Gert van Straalen, SFG Chairman, and the Secretariat met Thor Kofoed and other representatives of COPA-COGECA to discuss the impact of proposals in the CAP reform on permanent pastures. The current proposals hold specific rules for agricultural practices beneficial for the climate and the environment. In this context permanent grassland is defined as land used to grow grasses or other herbaceous forage naturally (self-seeded) or through cultivation (sown) and that has not been included in the crop rotation of the holding for **five** years or longer. As a result re-sowing will no longer be possible which in fact will fossible large parts of the existing 30 million hectares of grassland.

The representatives of COPA-COGECA were convinced of the importance of the subject and have managed to realize some changes in the COPA package position on the CAP revision. To the opinion of the Secretariat these changes are too small to prevent the impact on permanent pastures as described. Possible follow up actions towards the European Parliament and the Commission are being considered. (BS)

The Section Cereals and Pulses (SCP) meets at Novi Sad (Serbia)

On invitation of the Serbian Seed Association the SCP section held its spring meeting on May 15 in Novi Sad. More than 20 participants attended the event during which interesting presentations were given on the production of cereals and pulses in Serbia and aspects of the recently introduced National Plant Breeders Rights system. It was noted that Serbia is expected to join the UPOV 1991 Convention later this year. The participants were informed on the latest developments regarding the evaluation of the EU legislation on Seed Marketing, Plant Health, GMO, Plant Variety Protection. They analysed the unfavourable climatological conditions in Europe this winter and concluded that especially in central and eastern parts of Europe winter crops have been severely damaged which has resulted in an increase of the area of spring barley and maize. In the



Association. The following morning the group visited production fields in the surroundings of Novi Sad and the Novi Sad Institute of cereals. The two day event was very well appreciated by all participants. (BS)

UPOV – Technical Working Party for Agricultural crops (TWA)

The UPOV Technical Working party for Agricultural crops (TWA) had its 41st session from May 21-25 in Angers (France). The meeting was attended by more than 60 participants representing 26 countries. ESA was represented by B.Scholte. Philippe Lerebour (Unisigma) and Laurent Thiberville (Syngenta) joined the TWA for wheat and Joel Alcouffe (R2N) for sorghum. The set-up of the meeting was quite different from previous meetings due to changes in the UPOV team. In addition several agenda items were organised using Webex, a video conference system, allowing the participation from experts in Geneva and Australia. The Webex system allows also for the handling of documents on screen and functioned remarkably well. Several TGP documents were discussed in relation to Statistical methods to be used for the assessment of Uniformity, Molecular Techniques, data bases and other items of importance. In relation to a document on “providing photographs with the Technical Questionnaire” I have expressed the concerns of in particular vegetable breeders regarding the obligatory character of the present wording, which was taken up by the TWA.



The TWA finalised the Technical Guidelines on Common Vetch, Foxtail Millet and Sesame to be forwarded to the Technical Committee and discussed the TGs on Adlay, Cassava (*), Wheat, Red Bean, Rhodes grass (*), Kentucky Blue grass, Sorghum, Uruchloa (*), Scorpion Weed and Ground nut (*). The TWA managed to complete the first round of discussion on the wheat protocol, which can be considered as quite an achievement.

It is important to note that the proposed changes to the Uniformity thresholds, based on the CPVO protocol, were taken remarkably easily. These changes will simplify maintenance breeding in wheat significantly. Further discussion is needed regarding the sample size, the method of observation and the state of



of expression of several characteristics as well as the possible re-introduction of electrophoresis in an annex to the guideline.

The next meeting of the TWA will be held from June 17-21, 2013 in Kiev (Ukraine). In 2013 the discussion on the TGs indicated above will be continued; the ones indicated with an (*) are expected to be finalised in 2013. In addition the TWA will discuss next year a revision of the TG for potato. (BS)

ESA Position on Horizon 2020

The ESA Working Group for Research & Innovation has adopted a position on Horizon 2020, the new Framework Programme for Research in Europe, as well as a number of amendments that are currently being proposed to the European Parliament and Council. These documents are the result of collaborative work with ESA's partners in the European Technology Platform "Plants for the Future", that include EPSO (the European Plant Science Organisation) and COPA-COPEGECA (the farmers and cooperatives organisation). In its position, ESA calls for: i) the full support of plant breeding and crop production innovation under the "Sustainable Agriculture" chapter of Horizon 2020; ii) all key technologies of direct relevance to the agricultural and crop production sector to be covered in the scope of Horizon 2020; and iii) taking into account that the agricultural and crop production sectors are direct beneficiaries of biotechnology research. The European Commission's legislative proposal is currently being discussed by Members of the European Parliament in the Committee for Industry and Research, and the Agriculture Committee is also being consulted. Currently, ESA is preparing the ground and will very soon be contacting national associations in order to gather further support among MEPs and Member States for the better inclusion of plant breeding research under Horizon 2020. (JP)

Bio-based economy Public-Private Partnership

The initiative has made significant progress since the last edition of this newsletter, and ESA too. 4 companies have put forward a strong interest to participate (KWS, Semillas Fito, Lantmännen and Euralis Semences), and one national association (GFP) has decided to become a "founding father" of the Biobased Economy Public Private Partnership (PPP). For companies, this PPP will represent a unique opportunity to develop specific and targeted breeding programmes, geared towards the needs of the whole bioeconomy value chain at European level. On 31 May, the Vision Document, which outlines the overall scope of the initiative, is presented to the Commission and this will kickstart the process of establishing the legal basis of the PPP in the form of a joint undertaking between Commission and industry. This Vision Document states that the main focus of the PPP is: i) to provide a secure and sustainable supply of biomass; ii) to establish large-scale biorefineries; and iii) to develop markets, biobased products and optimise policy frameworks. In parallel, the "founding fathers" of the industry have come together to start building an industry grouping, that will represent the entire value chain and continue the preparatory work until the official launch of the PPP on 01 January 2014. This includes: defining a research roadmap, creating a legal entity and ensuring the advocacy work for the PPP. At the moment, around 30 companies have signed a letter of commitment to the industry grouping. The ESA Secretariat will continue to be an active partner in this platform in order to ensure that the interests of the plant breeding sector are fully recognised. (JP)

Visit to ESA Members – Plantum NL

On May 10 Katharina Bednarz and Jean-Paul Judson from the ESA Secretariat visited Plantum in the historic town of Gouda, NL. After arrival Managing Director Niels Louwaars gave a broad introduction on the associations' history, membership as well as standing committees and the particularities of the Plantum position in terms of horticulture and vegetables. Afterwards, Katharina and Jean-Paul met their "counterparts" in the Dutch association, Nanja van Buuren, responsible for the communication project "Major Earth" and Thijs Simons, acting as senior adviser for research and innovation. The aim was to get a deeper understanding of how the respective fields are covered within the Dutch Association, exchange expertise and identify common ground of cooperation. These informative sessions has been rounded up with a walk through the city centre and tasty lunch (Gouda cheese was also on the menu!!). Katharina and Jean-Paul once again thank Niels Louwaars and the entire Plantum staff for a very enjoyable visit and their great Dutch hospitality. (KB)



Visit to ESA members — BDP, Bonn

On (an extremely hot!) 24 May, Katharina Bednarz from the ESA Secretariat travelled to Bonn to visit the association member BDP (Bundesverband Deutscher Pflanzenzüchter). Ulrike Amoruso-Eickhorn and Christina Siepe, both in charge of BDP's communication activities, presented an excellent overview of the various internal and external initiatives, including the image campaign "Die Pflanzenzüchter" (engl. The Plant Breeders). Kerstin Mönch, who leads BDP's social media team and is about to introduce the long debated item just these days, joined the lively debate. Accompanied by Petra Jorasch, these exchanges were extremely productive. A great day with enthusiastic, motivated and creative BDP staff members. (KB)



“Sustainable Agriculture in Practice” - Field Day

On May 31, the ESA Secretariat participated in a Field Day organised by Bayer Crop Science at Jos Peeters farm “Hof ten bos” in Huldenberg (Tervuren). After arrival at the farm, approximately 20 km outside of Brussels, the group was warmly welcomed and received a presentation on the measures for sustainable agriculture. Following a “virtual” tour on the screen, the group was guided by Marc Sneyders (Bayer Crop Science) and a colleague for a “real” tour to actually discuss topics such as conciliation of biodiversity and modern agriculture, demonstration of integrated crop management in fruit-growing, protection of bees as important pollinator—and many more—and to gain hands-on experience. This valuable experience was concluded with an aperitif and BBQ. (KB).



Photos by Bayer Crop Science

REMINDER: Early bird registration for ESA Annual Meeting Brussels ends on 30th June 2012!

We would like to remind you can still register for the early bird fee at the ESA Annual Meeting in the Sheraton Hotel, Brussels. Following a highly successful meeting with a record attendance in Budapest last year, we now return to Brussels ; and we will try hard to fulfil the high expectations of our members and guests to live up to the standard we set. Please find further information on the registration, programme and general information by clicking on the following link:

<https://esa.conceptum.eu/default.aspx>

(KB)



The next ESA Newsletter is to be published on 30 June 2012