

# ESA NEWSLETTER

September 2009

Dear Members,

On October 1<sup>st</sup>, ESA held a full day brainstorming meeting with the European Commission's Directorate General for Consumer Protection and Public Health (SANCO) and representatives of COPA-COGECA at the ESA office to discuss the next steps and main questions of the so-called 'Better Regulation initiative', de facto the revision of the EU'S legal framework for seed marketing.

This joint meeting -which followed a number of bilateral discussions between ESA and COPA as well as ESA And the Commission- was definitely a highlight of ESA's work on this important subject over the past year. Both, ESA Members and our guests appreciated the open and amicable atmosphere of debate; and I am convinced that if we continue in this spirit, we will arrive not only at a better Regulation for seed marketing – but we will also set a very positive example how better governance and administration can work in practice, to the benefit of stakeholders and authorities.

## ESA Meetings (selected)

- 01.10.2009  
WGBR –COPA-  
COMMISSION
- 07.10.2009  
TF FSS Conf. Call
- 11.10.-14.10.2009  
ESA 2009  
Annual Meeting  
Sheraton
- 15.10.2009  
ESA – CPVO
- 19.10.2009  
ESA SPO –  
Breeders Trust
- 22.10.2009  
ESA WGBT
- 27.10.2009  
ESA SPO- edv WG



All important subjects for seed industry and farmers were introduced by short presentations by ESA Members and these presentations are available for you on the Members Area of the ESA Website (click Media/Presentations). I will further report on the meeting during the ESA Annual Meeting and you will also receive a specific ESA Info on it in due course.

With best regards, yours

Garlich v. Essen, Secretary General



**UPOV Technical Working Party Agricultural Crops (TWA)  
Seoul 31.10.09 – 04.09.09**

In total 47 participants attended the meeting representing 20 countries, including observers from FAO and IRRI. B.Scholte attended on behalf of ESA and ISF.

**External meetings  
(selected)**

- **05.-06.10.2009  
CPVO DUS  
experts meeting,  
Angers (F)**
- **14.-15.10.2009  
,Transcontainer‘-  
presentation of  
GM containment  
study, Brussels**
- **14.-15.10.2009  
ISF TARC,  
Brussels**
- **19.-22.10.2009  
UPOV Meetings,  
Geneva (SUI)**
- **19.-21.10.2009  
UN-ECE Meeting,  
Lux. & Brussels**
- **19.-23.10.2009  
FAO CGRFA,  
Rome (I)**
- **26.-30.10.2009  
ISF Meetings,  
Krakau (PL)**

- **Reports from members and observers**

As representative from ESA / ISF I have reported on the revision of the ISF View on IP in relation to the special case of DNA markers. The position paper will be added to the minutes of the TWA. In addition I have informed the TWA regarding the debate in breeders' circles regarding the interface between Plant Breeders Rights and patents and the meeting with EPO patent examiners as organised this summer. Finally information was provided on the expected evaluation of the EU frame work on PBR which will be addressed within ESA. The representative from the UK indicated having received applications of wheat varieties with a lack a new state of expression for the characteristic: Straw: pith in cross section. This issue will also be on the agenda of the upcoming meeting of the CPVO DUS experts for cereals.

- **TGP documents**

Considerable time was reserved to finalise the discussion on TGP 8 on Trial design and Techniques used in the examination of DUS. The discussions on TGP 11 regarding the examination of Stability and TGP 14 containing a glossary of terms were limited.

- **Molecular techniques**

The next meeting of the BMT is scheduled for in May 2010 in Canada. It is the idea to organise a meeting of the subgroup on Soybean and Potato in conjunction. In addition it is proposed to organise a meeting of the subgroup maize in the USA in 2010. The UPOV office will contact ASTA for this purpose.

- **Variety denominations**

The UPOV secretariat informed that the genus of Tomato was reclassified in *Solanum lycopersicum* var. *lycopersicum*. In order to prevent possible conflicts regarding variety denominations in the *Solanum* genus the TWA proposed to create a separate sub class within *Solanum* containing the "old" *Lycopersicum* varieties.



- **Electronic application systems**

Several countries reported on developments in relation to electronic application systems. In this respect I have re-stated the interest of ISF in having a simple electronic application form as proposed by ISF and the willingness of ISF to contribute to the development thereof.

- **Discussion on Technical Guidelines.**

- TG Pea; Following agreement of the TWA with comments made by the technical Committee the TG for Pea was finally adopted.
- TG to be sent for approval to the TC in 2010
  - o Pearl millet
  - o Sweet potato
- TG addressed in Seoul and to be (re-)discussed by the TWA in 2010
  - o Buckwheat (\*)
  - o Cassava
  - o Common vetch (\*)
  - o Durum wheat
  - o Flax, Linseed (\*): Several comments from flax breeders were received on the revised draft guideline and addressed in Seoul. Most of the comments were taken over by the TWA. Some concern remains however on the classification of varieties which will be re-discussed with the breeders.
  - o Foxtail, millet (\*)
  - o Hemp (\*)
  - o Urochloa (\*)
  - o Sesame (\*)
  - o Groundnut

(\*) TG indicated with (\*) are expected to be finalised in 2010 to be forwarded to the TC in 2011.

Following a proposal from New Zealand / Australia to revise TG for wheat and triticale it was decided to postpone a decision to 2010 and not to start the work before 2011 in order not to overload the DUS experts involved in cereals.

ESA / ISF are requested to indicate to the UPOV secretariat in which TG they have an interest in order to be included in the distribution list for receiving the respective revised draft guidelines.

- **Date and place of next meeting**

The next meeting of the TWA will take place from May 24 to 28, 2010 in Osijek, Croatia.



### **Contact with ESA Members**

On September 16 B. Scholte attended the general assembly of Seproma in Clermont-Ferrand. In this meeting interesting presentations were given on Intellectual Property, GM varieties and other issues. In addition a presentation was given by Mr. Vincent Moulin Wright on the structure and priorities of the newly founded French Seed Association UFS. (BS)

In the framework of the Seproma General Assembly, B. Scholte visited Limagrain in Clermont-Ferrand. On September 17, Mrs. Christiane Duchene, member of CIPR, introduced the company. Together with several Limagrain staff members issues on Intellectual Property, seed marketing, Diabrotica and other topics were addressed. (BS)

### **Commission set to re-nationalise GM authorisation**

While the evaluation of the EU's legal framework for GM cultivation has only started (ESA has made a draft answer to the first stakeholder questionnaire available to all members) and experts group still debate new breeding techniques and whether or not these are covered by the existing definitions, the Commission's President seems to already have made up his mind: in his programme for the next term which President Barroso shared with MEPs prior to his election, he underlines that the current legislation seems to have the wrong 'balance' of responsibilities between EU and Member States. While the EU should continue to evaluate safety, it should be Member States that take the decision on allowing the planting of GM crops. It is likely that he COM will present respective proposals in 2011/12. (vE)

### **Commission visit to Nunhems (NL)**

On September 14, Mrs. Paivi Mannerkorpi visited Nunhems in the Netherlands together with B. Scholte. The visit was organised as an introduction for Mrs. Mannerkorpi to the seed industry. Mr. Ko Remeijnse introduced the company and also chaired the discussion on important issues in relation to Research & Development, seed marketing, phytosanitary issues and seed treatment. (BS)



**Next ESA Newsletter to be published on 02.11.2009**