



# ESA

## European Seed Association

### **Policy priorities 2013**

**Garlich v. Essen**  
**Secretary General**  
**Bucharest 19.02.2013**

# Policy developments in the European seed sector

- **New Regulation on seed marketing**
- **European Court of Justice ruling on Kokopelli**
- **EU Patent and patent transparency**
- **ESTA scheme and neonicotinoid discussion**
- **Implementation Nagoya Protocol**



# Regulation on seed marketing

- **A package:  
seed marketing, plant health and official controls**
- **COM proposal March 2013 – discussion in Parliament  
and Council 2013 / 2014...**
- **Revision of the current seed marketing directives:  
a single regulation covering all species**
- **All operators registered under plant health regime**
- **A series of implementing acts to define details**





# Kokopelli ruling

- **On the validity of the DUS requirements for vegetables & the principles of the European treaties on free movement of goods**
- **Question referred to European Court of Justice**
- **Ruling in favour of requirements – as laid out to achieve the objectives of the legislation**
- **= in line with ESA Position!**



# Launch of ESTA

- **New EU Regulation on plant protection products entered into force in summer 2011**
- **New provisions on treated seed and new labelling obligations**
- **Bee incident and subsequent restrictions**
- **ESTA: an industry-owned standard for seed treatment quality**



# Current debate on ban of key insecticides (neonicotinoids)

- **EFSA report on bee health and insecticides 16.1.2013**
- **Commission proposal to ban use of neonicotinoids for seed treatment for all crops except sugarbeet and winter cereals**
- **ESA, ECPA, COPA coordination for alternatives**
- **ESTA is crucial for future access to pesticides for seed treatment!!!**



# EU Patent/ ESA IP position

- **Free access to all plant genetic material for further breeding**
  - **The commercial use of new plant varieties expressing the function of a patented element, requires the authorization of the holder of the patent right**
- **Inclusion of a provision for a limited breeders' exemption in the EU Patent = ESA success!**





# Patent transparency / ESA patent database

- Improving transparency on patent status of genetic material
- ESA is setting up a comprehensive website with all relevant information regarding patent status of (EU) commercially available varieties
  - To be presented at ISF Breeders Committee at the Athens Congress
  - To be officially launched 01.07.2013







# Nagoya protocol implementation

- **Nagoya protocol: adopted in 2010: an international agreement on access and benefit sharing of genetic resources (ABS)**
- **Push for more harmonisation, setting more detailed rules for ABS**
- **EU will be (soon!) presenting its draft Regulation on the implementation of the Nagoya Protocol**
  - **Specific rules needed for plant breeding sector!**



### 3. Public outreach and advocacy

- **A growing role for the European Parliament**
- **Policymaking at EU level : technical to political**
- **26 & 27 NOV: European lobbying training workshop with participation of AMSEM**
- **Romanian seed industry will have a full-time part to play in 2013!**



# New opportunities for seed companies

- **Research & Innovation**
  - 80€ billion EUR 2014-2020: how much for plant breeding research?
- **Bio-based economy**
  - Public-Private Partnership: 2€ billion EUR 2014-2020 to set up the biobased value chain, from breeding to bio-based products



Thank you!

