



ESA

European Seed Association

**Plant Reproductive Material:
what to expect in the future EU legislation?**

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

FOLLOW ESA





Outline

- The political context
- ESA position
- The proposal & ESA assessment
- (indicative) timeline
- The wider picture





The political context



- Started in 2008
- “Better Regulation”: routine procedure to all EU legislation
- Full revision of the whole « food/ feed controls » package
- The full legislative package will include:
 - Animal health
 - Plant health
 - Plant Reproductive Material
 - Official controls
 - Food – Feed expenditure



The political context

- Aims regarding the revision of the EU seed law:
 - Check justification for existing legislation
 - Look for simplification, harmonisation and more efficiency
 - Search for alignment with other EU policies (e.g. plant health & official controls)
- Result: integration of plant reproductive material & plant health under the framework of the Food & Veterinary Office of the EU





ESA position

Future EU Legislation on Seeds & Plant Propagating Material

- quicker, simpler, cheaper, better harmonised
- oriented towards needs of the stakeholders
- Fostering innovative plant breeding for sustainable & competitive agriculture

Variety
Identification

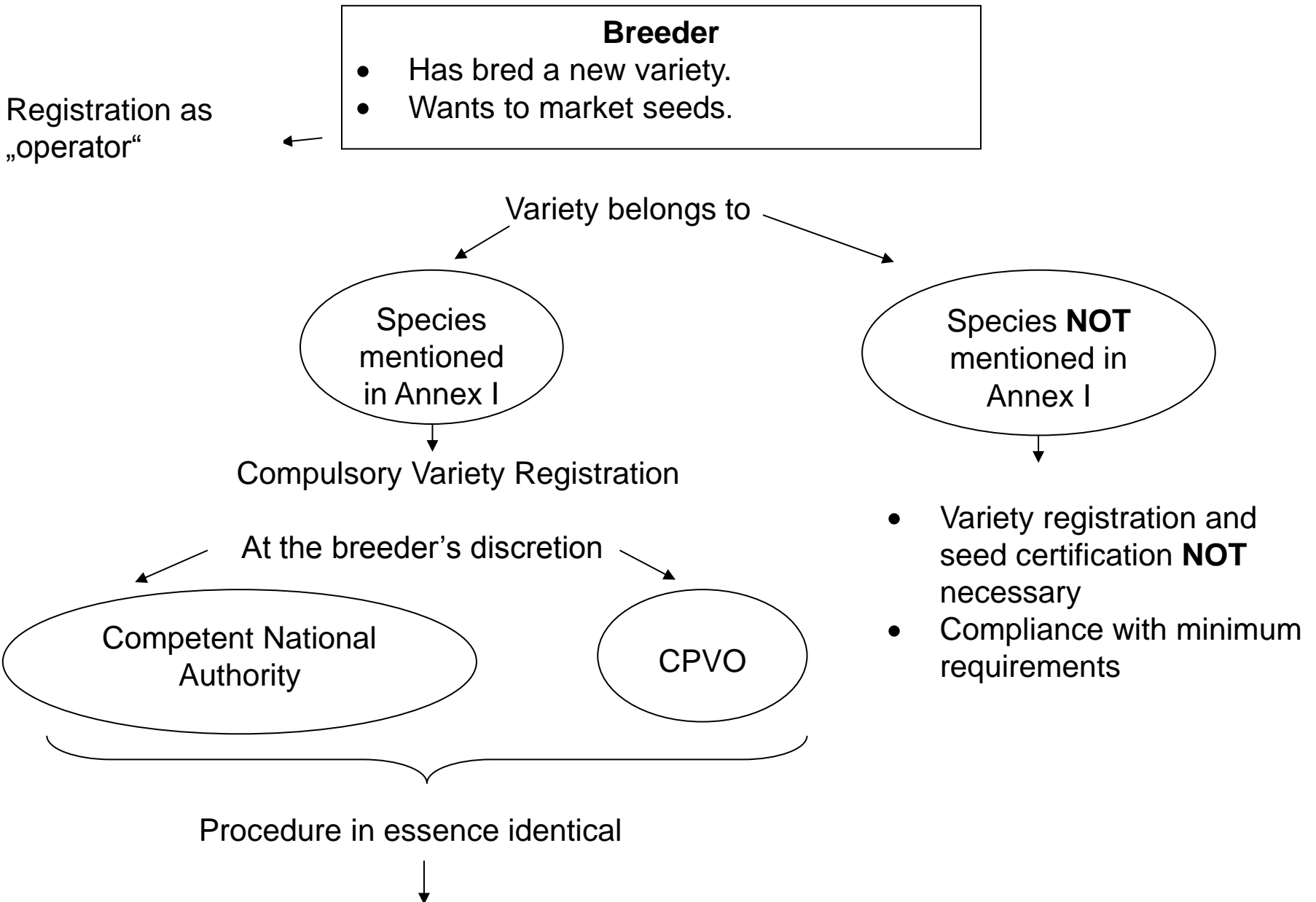
Variety
Performance

Seed
Quality

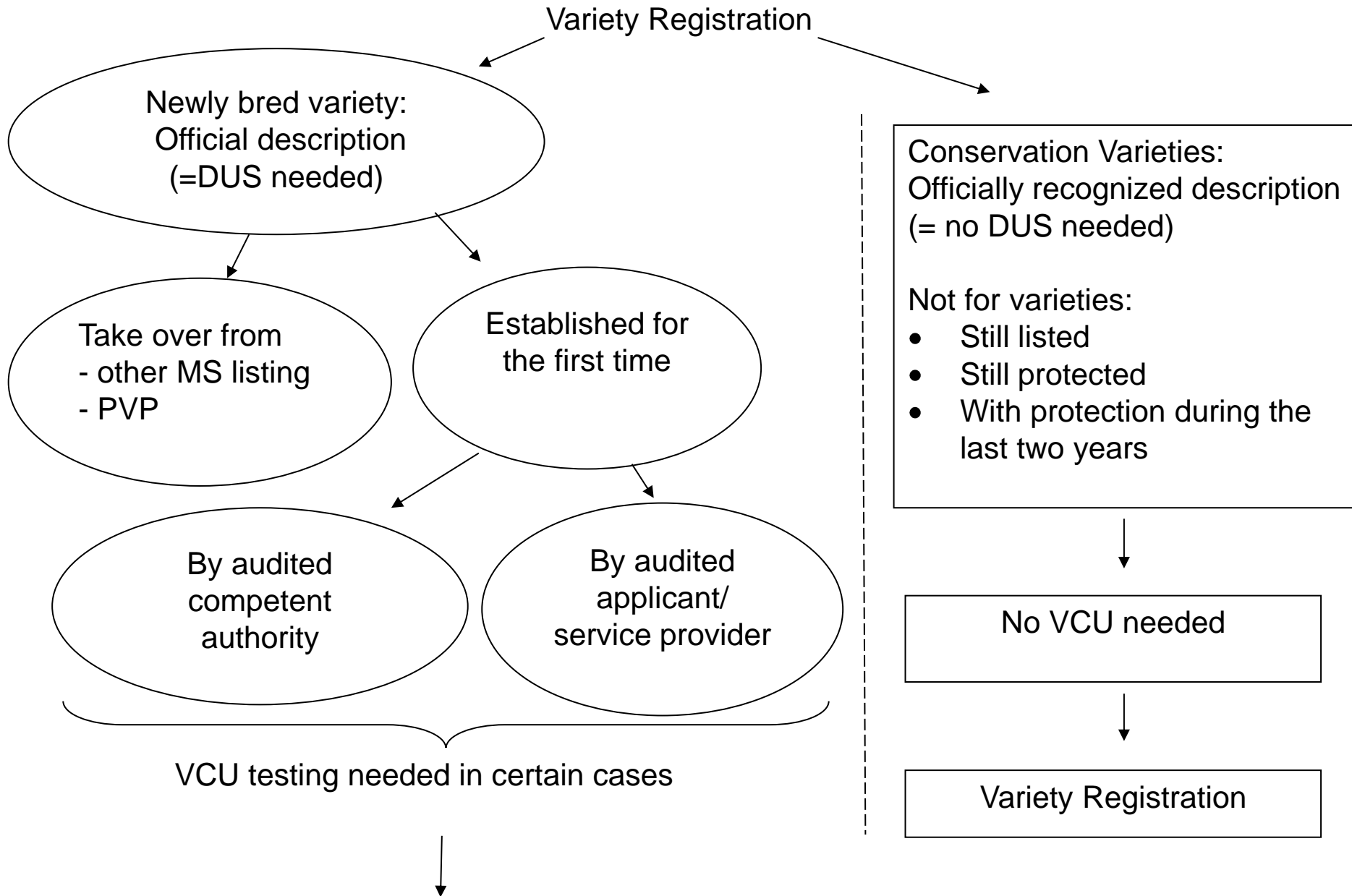
Maintain comprehensive list of species



The proposal



The proposal



The proposal

Species with particular importance for sustainable development of agriculture in the Union

Other species

VCU required

No VCU required

(with option of delegation under off. supervision)

Variety listed

Certification of the seeds needed?

Major genera or species

- operator under official supervision
- on request: competent authority

Non-major genera or species

Marketing as Standard Seed possible



The proposal & ESA assessment



- ✓ Regulation instead of 12 Directives and 27 nat. Seed Acts
- ✓ List of regulated species unchanged
- ✓ Imports more clearly integrated in the regulatory framework
- ✓ “Delegation under official supervision” strengthened
- ✓ DUS as a listing requirement maintained
- ✓ Obligatory VCU for agricultural species maintained
- ✓ Obligatory seed certification for agricultural species maintained
- ✓ MS allowed to set more stringent requirements



The proposal & ESA assessment



❖ Closed Loop

- COM intends to delete the exemption
- “Hard data” to be delivered in order to maintain it

❖ One Key – Several Doors

- Mismatch between DUS reports from listing and PVP
- Listing: Comparison against all varieties listed in the EU
- PVP: Comparison against all varieties of common knowledge

❖ Conservation Varieties

- No limitations planned (at least not on quantities)





The proposal & ESA assessment



❖ Implementing Acts / Delegated Acts

- Implementing Acts: Involvement of Member States
- Delegated Acts: COM decides

❖ Transition Period

- COM thinks of up to 5 years to become fully operational with all secondary acts

❖ Governance

- ESA wants (permanent) stakeholder group
- COM intends to (temporarily) set up Expert WGs





(indicative) Timeline

- ❖ 4 December 2012: End of (formal) Inter-Service Consultation
- ❖ December/ January/ February?: Negotiations between COM services
- ❖ End of March: official presentation of legal texts
- ❖ 2013-2014: Involvement of European Parliament and Council
- ❖ 2014: Entry into force of Basic Regulation
- ❖ Up to 2019: Publishing of Delegated / Implementing Acts



The wider picture

- The new EU seed law may be affected by other seed related political discussions like e.g.:
- GMOs: obligations for seed testing?
- NBTs: obligation for breeding technology info on the EU CC?
- Seed treatment: proposal for a partial ban of neonicotinoids
 - Impact on major crops (oilseed rape, maize)
- Biodiversity: Access & Benefit Sharing of genetic resources: implementation of the Nagoya protocol in the EU
 - Impact on breeding research (disclosure of origin)
 - Administrative burden for breeders to access genetic material





Conclusion

.... many challenges for the EU seed sector in the coming years!

Collaboration ESA – national seed associations is key!!!

