



EUROPEAN COMMISSION

HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

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**SUMMARY REPORT OF THE
STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED
HELD IN BRUSSELS ON 05 FEBRUARY 2016
(Section Seeds and Propagating Material for Agriculture and Horticulture)**

CIRCABC Link: <https://circabc.europa.eu/w/browse/04c8a994-99fb-4ccd-861d-a0e632643c8f>

A.01 Exchange of views on the working programme in the areas covered by the Standing Committee for the year 2016.

The Commission presented the draft working programme for 2016 and outlined the foreseen changes to amend the technical Annexes of several basic Directives. Weight will also be put on the implementation of the EU legislation. Following the new Regulation on plant health, a plan will be set up to revise all the technical Annexes and implementing acts. A Member State asked to develop guidance on the modalities of exchange of standard material for official post controls. Replying to the Member States' request to revise the old outdated basic Directives the Commission explained that after the rejection by the European Parliament and Commission's withdrawal of the proposal for a Regulation on Plant Reproductive Material this was not perceived as a necessary action. The current revision of the Organic Regulation was also raised in relation to seed for organic production, and the Commission highlighted the need to follow closely the developments in the ongoing trilogues as the European Parliament is requesting amendments in this regard. A Member State asked to update the quality pest requirements for e.g. oil and fibre plants. The Commission clarified that an EPPO project could at a later stage also look at possible new quality pests.

A.02 Update on the temporary experiment providing for certain derogations for the marketing of seed mixtures intended for use as fodder plants.

The Commission gave a short update. An ad hoc Member States' expert group took place on 19 January 2016. It was agreed to add 23 new fodder plant species to the general scope of the basic Directive as for these plant species no or few varieties are nationally listed and not enough seed is available. Seed of these plant species would be marketed as commercial seed or certified seed. At a later stage, in around 5 years' time, it could be reviewed whether or not to lay down an obligatory certification requirement. The delegate from Portugal informed that it has sent the requested information on origin of the new plant species and their non-invasiveness as well as suggestions for the requirements in the technical Annexes. The delegate from Spain informed about varieties in the process of being registered. It also requested, with the

support of Denmark, a new temporary experiment on new species and uses such as for organic agriculture or special nutrition of animals. The Commission informed that a draft implementing act is under preparation for the comments of the experts of the ad hoc group.

A.03 Import requirements of standard vegetable seed from third countries:

- **presentation of a working document;**
- **discussion on a draft questionnaire.**

According to Article 37(1) of Council Directive 2002/55/EC, vegetable standard seed harvested in a third country can only be imported into an EU Member State if the seed affords the same assurances as and is equivalent to standard seed harvested within the Union. The Commission presented a working document outlining a proposal for the approach to be taken for establishing equivalence of third countries. The approach encompasses a cover letter laying out in detail the requirements for vegetable standard seed in the Union and a small number of questions with the aim to gain information on the system in third countries. A discussion took place. Written comments should be sent by 19 February 2016.

A.04 Presentation of sustainable value for cultivation and use (VCU) testing in the Member States.

France presented its system of testing for Value for Cultivation, Use and Sustainability (VCUS). Elements that characterise the environmental performance of varieties have been included in French VCU-testing over two decades to reinforce sustainability elements and to target genetic progress towards varieties adapted to agro-environmental constraints and to cultivation practices that favour the decrease of inputs. It was shown through the examples of some crops how sustainability elements are implemented and how sustainability has improved. The Polish delegate provided an overview of the activities of the EU VCU Experts Group. It was established in 2007 in order to exchange information on practices, methodologies and organisational matters concerning VCU between new Member States and several EU-15 Member States. The delegate concluded that the work of the group could be helpful to address new, EU-wide VCU issues such as selection of varieties for sustainability and resilience of crops, low-input agriculture, agro-biodiversity, and climate change consequences as well as development of cooperation. Some Member States highlighted the importance to follow developments in societal priorities and needs and informed that they are already addressing the issue by e.g. adding more weight in their decision making on disease resistance of varieties. Progress could be made in the EU while some other Member States raised concerns regarding subsidiarity and regional and local differences. The Commission will continue to follow the work of the Member States' VCU Expert Group.

A.05 Presentation of a working document on the issue of the sizing standards for seed potatoes.

Article 10 of Council Directive 2002/56/EC provides size requirements for all categories of seed potatoes, while Article 3(4) contains an empowerment to derogate

from specific requirements in the case of seed potatoes produced by micropropagation techniques. A large majority of Member States had earlier expressed support for such a derogation while keeping the ensuing administrative burden as small as possible. The Commission presented a working document summarising the Decision to be voted in a future Standing Committee meeting. Member States welcomed the document. France expressed opposition to the adoption of the derogation and announced to provide written comments.

A.06 Exchange of views on the addition of buckwheat (*Fagopyrum esculentum*) to the list of species covered by Council Directive 66/402/EEC on the marketing of cereal seed.

Following Poland's proposal in the last Standing Committee meeting to add buckwheat (*Fagopyrum esculentum*) to the list of species in Directive 66/402/EEC on marketing cereal seed further discussion took place. The majority of the Member States are in favour of adding buckwheat to scope of the Directive as seed of buckwheat is traded in significant amounts the EU, a number of Member States already have national certification systems place and buckwheat is also included in the scope of the OECD Seed Scheme rules for international trade. It was clarified that *Fagoryrum tataricum* is used for cover crop not *Fagopyrum esculentum*. Some Member States were concerned about adding new species and related costs and administrative burden while others underlined the need to protect farmers and lay harmonised rules for internal trade. The Commission took note of the discussion.

A.07 Exchange of views on the revision of the scientific names of certain grass species.

The Commission presented a working document summarising the taxonomic status of hybrid ryegrass. Of special concern is that UPOV/CPVO use a different scientific name from ISTA (International Seed Testing Association). The former scientific name (*Lolium x boucheanum*) is used for variety listing and plant variety rights purposes in EU legislation (i.e. Directive 66/401/EEC), while the latter name (*Lolium x hybridum*) is used on ISTA certificates in international trade. The discussion showed that while there is coordination between the different scientific organisations and committees dealing with scientific nomenclature, inconsistencies cannot be entirely ruled out as not all organisations use the same criteria when deciding on the revision of scientific names.

A.08 Update on the Italian request for derogation pursuant to Article 21 of Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants.

The Commission informed the Member States that following its more detailed legal analysis the seed of the 2 soybean varieties which are used to produce a special vegetable product Edamame for food uses, is not covered by the scope of the Directive 2002/57/EC on marketing seed of oil and fibre plants. Therefore, the vegetable use of these soybean varieties is not covered by the EU legislation and Italy can apply national rules.

A.09 Update on EU equivalence requests.

The Commission gave a short update on the situation of the EU equivalence requests for exportation to the EU. As regards Ukraine the Commission informed that its internal process is currently ongoing with a view to prepare a co-decision proposal to recognise Ukraine's EU equivalence before the end of 2016. The possibility to move the decision process to the Commission level is uncertain. Concerning Brazil, the FVO audit will take place in April. Moldova has not yet provided its more detailed legislation, from Turkey there is no further news and Bolivia sent its official request in January 2016.

A.10 Update on OECD Seed Scheme matters.

The Commission informed about the outcome of the OECD's Technical Working Party meeting end of January 2016 in South-Africa. There was no agreement to add a serial number on the official label but work on the security of labels will continue as well as work on clarifying the issue of impurities of hybrid barley. Concerning rules on the use of biomolecular techniques it was decided to keep the current rules but to work on guidance and continue updating the list of the internationally validated methods. An ad hoc group will work on the strategic plan with a view to present a proposal for the Annual Meeting. The other OECD countries welcomed EUs more open suggestions for the amendment of the rules for acceptance of varieties but the sensitive issue of VCU requirements remains open. There was a request of Poland to update the requirements for buckwheat (*Fagopyrum esculentum*) and finger millet (*Eleusine coracana*).

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Directive amending certain Annexes to Council Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC as regards the official label.

The Commission presented the text which provides for the introduction of a serial number on all official labels to improve security and traceability, a common practice in already several Member States. A short discussion took place concerning the date of transposition.

Vote taken: Favourable opinion.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision amending Decision 2004/842/EC concerning implementing rules whereby Member States may authorise the placing on the market of seed belonging to varieties for which an application for entry in the national catalogues of varieties of agricultural plant species or vegetable species has been submitted.

The Commission presented the text which provides for the introduction of a serial number on the official labels of seed of not yet listed varieties. A short discussion took place concerning the date of transposition and minor adaptation of a recital.

Vote taken: Favourable opinion.

M.01 The Netherlands

The Netherlands informed about the following meeting dates under its Presidency: UPOV coordination will take place 7 March and OECD coordination 27 May 2016. A conference on patents/plant breeders' rights is planned for May 2016.

M.02 Germany

Germany raised the issue of *Solanum phureja*, a taxon of uncertain status. Certain breeders and growers have been marketing tubers under this name. This is problematic as *S. phureja* is outside the scope of Directive 2002/56/EC on the marketing of seed potatoes. The Commission provided an initial assessment of the situation and stated that the current scientific consensus appears to be that *S. phureja* is not a legitimate species and that the correct classification is *Solanum tuberosum* L. Phureja Group. Material from this cultivar group thus falls under the scope of Directive 2002/56/EC.