

1. INTRODUCTION

1.1 What is the name of your organisation?

European Consortium for Organic Plant Breeding

1.2 What stakeholder group does your organisation belong to?

International organisation

1.2.1 Please specify

1.3 Please write down the address (postal, e-mail, telephone, fax and web page if available) of your organisation

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2. PROBLEM IDENTIFICATION

2.1 Are the problems defined correctly in the context of S&PM marketing?

Yes

2.2 Have certain problems been overlooked?

Yes

2.2.1 Please state which one(s)

> The availability of a large choice of varieties for diverse uses is presently restricted to main crops with large margins, whereas breeding efforts on minor crops diminished the last decades. This result in very simple crop rotations reduced agro-biodiversity and accelerated risks of production. Concentration in the seed sector decreases the number of breeding programs and therefore biodiversity. > DUS criteria prevent in-variety diversity and therefore restrict resilience of a crop. > A differentiation between high risk varieties and low risk varieties is missed. If a variety is grown on a huge area immediately after being released there is a high vulnerability related to biotic and abiotic stress. If a variety will not cover i.e. less than 1% of the area or the seed lots of a member state every risk for the community is much lower. High costs for testing could go together with a high market share, but only low costs for testing to release a variety together with low market share can increase biodiversity and small scale innovations.

2.3 Are certain problems underestimated or overly emphasized?

Rightly estimated

2.3.1 Please indicate the problems that have not been estimated rightly

2.4 Other suggestions or remarks

3. OBJECTIVES OF THE REVIEW

3.1 Are the objectives defined correctly in the context of S&PM marketing?

Yes

3.2 Have certain objectives been overlooked?

Yes

3.2.1 Please state which one(s)

At the moment there is little or no differentiation in the requirements for the breeder considering S&PM with relatively high market shares and S&PM for very small scale niche markets. It would

be logic if the requirements to be fulfilled by the breeder for S&PM targeting higher market share are higher than those of S&PM for niche markets. Hence, it could sensible to have higher certification requirements regarding seed quality for S&PM exceeding a specific market share of i.e. 1% and lower certification requirments for S&PM with market share below this scale.

3.3 Are certain objectives inappropriate?

No

3.3.1 Please state which one(s)

3.4 Is it possible to have a regime whereby a variety is considered as being automatically registered in an EU catalogue as soon as a variety protection title is granted by CPVO?

Yes

3.5 If there is a need to prioritise the objectives, which should be the most important ones? (Please rank 1 to 5, 1 being first priority)

Ensure availability of healthy high quality seed and propagating material

3

Secure the functioning of the internal market for seed and propagating material

4

Empower users by informing them about seed and propagating material

2

Contribute to improve biodiversity, sustainability and favour innovation

1

Promote plant health and support agriculture, horticulture and forestry

5

3.6 Other suggestions and remarks

Testing protocols and scoring should be harmonized, but testing procedures and growing circumstances should be user-oriented diversified with regard to different climatic-areas, intensity-levels and farm-marketing-structurs.

4. OPTIONS FOR CHANGE

4.1 Are the scenarios defined correctly in the context of S&PM marketing?

Yes

4.2 Have certain scenarios been overlooked?

Yes

4.2.1 Please state which one(s)

in case that Scenario 1, 2, 3 or 5 is favoured by the Commission, comment 2.2. is applicable. Furthermore: A future releasing of varieties should take into account that not only pure line varieties are on option to face climatic changes, but also "multi-line-varieties", "family-varieties" or "populations", which can be described by frequencies of characters and not only by pure characters. It might be an option to exclude varieties described with frequencies from variety protection, but not from releasing them for the marketing of seeds.

4.3 Are certain scenarios unrealistic?

No

4.3.1 Please state which one(s) and why

4.4 Do you agree with the reasoning leading to the discard of the "no-changes" and the "abolishment" scenarios?

Yes

4.5 Other suggestions and remarks

5. ASSESSMENT OF OPTIONS

5.1 Are the impacts correctly analysed in the context of S&PM marketing?

Yes

5.2 Have certain impacts been overlooked?

No

5.2.1 Please state which one(s)

5.3 Are certain impacts underestimated or overly emphasized?

Rightly estimated

5.3.1 Please provide evidence or data to support your assessment:

5.4 How do you rate the proportionality of a generalised traceability/labelling and fit-for-purpose requirement (as set out in scenario 4)?

2 = fairly proportional

5.5 How do you assess the possible impact of the various scenarios on your organisation or on the stakeholders that your organisation represents?

Scenario 1

Very negative

Scenario 2

Neutral

Scenario 3

Fairly beneficial

Scenario 4

Very beneficial

Scenario 5

Neutral

5.5.1 Please state your reasons for your answers above, where possible providing evidence or data to support your assessment:

The tremendous loss of Biodiversity is to a large extent also a consequence of the S&PM Regulation and UPOV criteria. Present seed companies may secure a high level of quality management which will help to keep the high quality level. The strengthening of biodiversity and also breeding for niche and organic markets is therefore of major importance in the future.

6. ASSESSMENT OF SCENARIOS

6.1 Which scenario or combination of scenarios would best meet the objectives of the review of the legislation?

Scenario 4

6.1.1 What are your views with regards to combining elements from the various scenarios into a new scenario?

6.1.1 Please explain the new scenario in terms of key features

6.2 Do you agree with the comparison of the scenarios in the light of the potential to achieve the objectives?

Yes

6.2.1 Please explain:

7. OTHER COMMENTS

7.1 Further written comments on the seeds and propagating material review:

DG SANCO does well to do such a public consultation. This improves the closeness to European citizens. Food security has been an important task in the past. Nowadays, there are other priorities, especially the dramatic loss of biodiversity. In several countries organic plant breeding and breeding for niche markets as well as the highly needed strengthening of biodiversity suffers from the present unequal implementation of the S&PM regulation. The situation is counterproductive in markets that have become more and more diverse over the years. Moreover, quality management of private breeders and breeding companies have reached a high level, which is able to keep up the quality even if S&PM is more liberalised. consultation process: The difference in content and order of the reply sheet as published in April and the online questionnaire is really puzzling and not helpful at all! Word reply sheet implied that it could be submitted as such but that was not possible. That was annoying.

7.2 Please make reference here to any available data/documents that support your answer, or indicate sources where such data/documents can be found:

