1. INTRODUCTION

1.1 What is the name of your organisation?
Austrian Agency for Health and Food Safety (AGES / BAES)

1.2 What stakeholder group does your organisation belong to?
Competent Authority (CA) involved in S&PM variety and material registration

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?
No

2.2.1 Please state which one(s)

2.3 Are certain problems underestimated or overly emphasized?
Underestimated

2.3.1 Please indicate the problems that have not been estimated rightly
One of the main pillars -registration of varieties/material- is roughly underestimates in the paper as there is no reference to legislation and no separate assessment etc. New and better cultivars are at the very beginning of the production pipeline and a qualitative and sustaniable, environmentally sound product is only coming out of the pipeline, which then minimize post control necessities (fe Fusarium resistant cultivars with less risk for DON/ZON). The official Fuarium toerance rating, which was done within VCU variety description for the first time last year in corn was absolutely NO goal or wish of industry

2.4 Other suggestions or remarks
Please also note and consider, that in some countries -also in Austria- there is a joint, uniform and shared system of registration and recommendation.

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)
Within the General policy objectives there is ONLY a listing of points in the framework of S&PM marketing. The value based on registration of new higher yielding, better resistant/tolerant cultivars with better intrinsic quality and with features needing less limited resources (water, fertilizers and pestidides) is worthy the same critical acclaim as SandPM marketing

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?
No

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

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

Empower users by informing them about seed and propagating material

Contribute to improve biodiversity, sustainability and favour innovation
1

Promote plant health and support agriculture, horticulture and forestry

3.6 Other suggestions and remarks
Aims are based on policies/visions and we always have to consider with what priority we have to work for citizens/consuments within the framework of the food/feed production chain. Therefore some of the priorities should have the same rating! Registration and certification are only vehicles to reach declared aims best. By the way there is no priority list for registration.

4. OPTIONS FOR CHANGE
4.1 Are the scenarios defined correctly in the context of S&PM marketing?
No

4.2 Have certain scenarios been overlooked?
No

4.2.1 Please state which one(s)

4.3 Are certain scenarios unrealistic?
Yes

4.3.1 Please state which one(s) and why
4.1 In the discussions concerning the evaluation of the EU legislation and the action plan "mandatory" was interpreted in the way that a distinct part of registration and certification will be done "mandadory" by the competent national authorities. This competent national and international institutions -as ISTA etc.- enable applicants by documented procedures to to work under official supervision or autorization. Normally only part of the SMEs in seed industry are due to the costs only autorized on national basis. 4.3 Scenario 1, 3, 4, 5: There should be initiated a step by step solution starting from a well experienced basis. OUR PROPOSAL Scenario 2 should be optimized by highering the fees and autorizing private institutions in time steps too a larger extent. Austria has still autorized one third of registration trials. Up to now industry was only interested in some major crops (winterwheat, barley and corn) Interest in other major crops is

rather limited also by the already authorized SMEs and global players (fe Pioneer)! We think that only such an structured approach guarantees regsitration (VCU) which ensures also BIO registration and delvering agriculture with cultivars and SandPM for a sustainable and environmentally sound agriculture. One cost diminishing factor -the multi national DUS- may be eliminated immediately by organizing a CPVO databasis for all EU DUS applicatios, so that all MS can take over the necessary centralized DUS, which would lowering costs for the applicants drastically! This means that breeders will have a very distinct cost reduction in registration. Additionally for mandatory VCU transnational cooperation has to be established on the basis of EU-harmonized methods for lowering costs.

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
Enable the MS within subsidiarity to optimize their mixed registration and recomendation systems within the European framework as clients (agriculure, food/feed industry) are interested in national results. Consider that for example Austria is registering Oilseedrape cultivars in July (! flexibility of authority !)enabling agriculture to use new cultivars already for autumn seeding (!industry friendly approach!). Without such results the importance of EU- and national lists and implementation of general policy objectives will diminish.

5. ASSESSMENT OF OPTIONS
5.1 Are the impacts correctly analysed in the context of S&PM marketing?
No

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?
Underestimated

5.3.1 Please provide evidence or data to support your assessment:
Too cost orientated for industry, no socioeconomic approach for public wellfare and society

5.4 How do you rate the proportionality of a generalised traceability/labelling and fit-for-purpose requirement (as set out in scenario 4)?
No opinion

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
Fairly beneficial

Scenario 2
Very beneficial

Scenario 3
Rather negative

Scenario 4
Very negative

Scenario 5
Very negative

5.5.1 Please state your reasons for your answers above, where possible providing evidence or data to support your assessment:
Assessment of scenario 2 ONLY GUILTY if modifications realized as written down by us (watch 6.2). Assessment for the own organsisation versus applicants etc are DIFFERING and therefore it is impossible to assess it together in 5.3. In 5.3 assessment for AGES. We think that with scenario 1 and especially with scenario 3, 4 and 5 without a mandatory VCU the realizing of the general policy objectives are to a large extent improbable!

6. ASSESSMENT OF SCENARIOS
6.1 Which scenario or combination of scenarios would best meet the objectives of the review of the legislation?
Scenario with new features

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
Scenario 2 with mandatory official involvement. Without official involvement NO autorization for a longer time will be possible as there is a distinct competence necessity for autorizing bodies depending on ISO, DIN, EN...! Continous duty of MS to attend in the evaluation of the national fees under consideration of scope of sercices and actual wage level. Harmonized EU-VCU-methode from Scenario 3 and a centralized CPVO DUS databasis as described above from scenario 5

6.2 Do you agree with the comparison of the scenarios in the light of the potential to achieve the objectives?
No

6.2.1 Please explain:
Comparisons too cost orientated and too optimistic (double to triple plus i) without valuing highly the synergy and environmental effects of the consisting and then optimized systems

7. OTHER COMMENTS
7.1 Further written comments on the seeds and propagating material review:

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: