

1. INTRODUCTION

1.1 What is the name of your organisation?

Landwirtschaftskammer Österreich

1.2 What stakeholder group does your organisation belong to?

User of S&PM

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?

Overestimated

2.3.1 Please indicate the problems that have not been estimated rightly

Forest propagating material should not be included in the new regulation. The existing regulation works sufficient. The specific requirements are different to all other species.

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)

Seed and propagating material are the starting point for all of agricultural production. They are the original input for all food, feed and industrial use supply chains. Therefore, we must ensure that there are official controls (or under official supervision) in place to make seeds and propagating material available to farmers who conform to uniform, officially defined specifications relating to germination capacity, plant health and variety correspondence. Official testing of new varieties must also be continued. The target should be a high quality system with low costs and effort. A exemption for small producers might be considered. The administrative burden is high in comparison to marketing of small quantities. But they are important for biodiversity.

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

Promote plant health and support agriculture, horticulture and forestry

3.6 Other suggestions and remarks

Regarding 3.4: Not for agricultural crops; for vegetables it seems reasonable;

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?

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

The proposed scenarios are not unrealistic per se. The issue is that they don't fulfil entirely the objectives of the review. The main purpose of the new legislation must be to stimulate innovation in plant breeding and progress in valuable characters -sustainability, productivity and quality. In this respect, scenario number 1 is only focused on the reduction of public expenditure, no mention of improvement in terms of simplification and reduction of administrative burden is made. Moreover, scenarios 3 and 4 do not secure the end user that all products comply with common standards for variety identity, quality for use and seed quality; listing and certification must be based on reliable, relevant and sufficient information.

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

Consumer protection is missing. The consumer should have the free choice, what they buy.

Therefore they need information about the varieties.

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?

Overestimated

5.3.1 Please provide evidence or data to support your assessment:

The impacts of a scenario are not the same for agricultural crops, vegetables or fruits. There is also a difference between seed and propagating material. Especially in multiplication and certification there is a big difference between S & PM.

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

Neutral

Scenario 2

Fairly beneficial

Scenario 3

Rather negative

Scenario 4

Rather 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:

For agricultural crops the authorization regime and maintenance of VCU of Scenario 2 would be favourable. A high degree of flexibility as suggested in scenario 4 would be of interest for the sectors vegetables and fruit plants, but the area of application should be checked carefully. Especially plant health provisions should be maintained. For plant health minimum standards should be formulated to protect farmers from minor qualities coming from abroad irrespectively outside the Common Market. For ornamentals Scenario 3 could be considered provided that plant health provisions are not deregulated or derogated. In the sectors wine and forest no changes are requested.

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

For agricultural crops the authorization regime and maintenance of VCU of Scenario 2 would be favourable. A high degree of flexibility as suggested in scenario 4 would be of interest for the sectors vegetables and fruit plants, but the area of application should be checked carefully. Especially plant health provisions should be maintained. For plant health minimum standards should be formulated to protect farmers from minor qualities coming from abroad irrespectively outside the Common Market. For ornamentals Scenario 3 could be considered provided that plant health provisions are not deregulated or derogated. In the sectors wine and forest no changes are requested.

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:

The objective "sustainability and biodiversity" is not properly met by all scenarios.

7. OTHER COMMENTS

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

We vote for scenario 2 with different amendments: - VCU should be done officially or under official supervision for agricultural crops. VCU is necessary on national or regional level. The data should be available for farmers. - DUS should be done officially or by authorized organisations under official supervision. The data should be administrated by CPVO. There should be a centralized DUS database, where authorities can receive data, if they already exist. - Seed certification should be done officially or under official supervision for agricultural crops

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:

