

1. INTRODUCTION

1.1 What is the name of your organisation?

C.I.B.E. – International Confederation of European Beet Growers

1.2 What stakeholder group does your organisation belong to?

International organisation; Other

1.2.1 Please specify

CIBE represents the interests of sugar beet –growers – and hence the users of sugar beet seed - in Europe.

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?

No

2.2 Have certain problems been overlooked?

Yes

2.2.1 Please state which one(s)

Regarding Question 2.1: 1 - “Complexity and fragmentation of the legislation”: The problem definition states that “more fundamental changes may need to be considered”. However, with regard to the sugar beet seed legislation, we would like to underline - as was also stated in the conclusion of the final report, that fundamental changes are not needed in the legislation: there is a balanced, long established and proven framework with a focus on the Common Catalogue working throughout the entire chain “breeders - farmers – sugar industry”. Therefore, there should be official controls to conform uniform, officially defined specifications relating to germination capacity, plant health, variety correspondence etc.. 2 - “High level of administrative burden”: The problem definition states that the administrative burden needs to be lowered for the public sector. This does apparently not recognize that for the sugar-beet sector there is an exemplary and cost-efficient practice of Public Private Partnership. Therefore, it should be underlined that the system has to be cost-effective for the public and private sector. 3 - “Sustainability issues”: we would like to underline that sustainability is optimised when the amount of inputs, be it natural resources such as land and water or production inputs such as seed, fuel, fertiliser and plant protection products used per unit of useful crop produced is the lowest, i.e. via the most productive varieties, including the most input-use efficient varieties. Regarding Question 2.2: 1- The “Options and analysis paper” states that the objective – when the S&PM legis-lation was first developed – was to improve the productivity of agriculture in order to ensure food security in the EU. This objective is still among the key objectives the S&PM legislation should focus on, also in respect of the role of productive agriculture in view of sustainability. 2 - The lack of consistency between national variety lists and the Common Catalogue is an issue the review of the S&PM legislation could seek address, while taking due account of national specificities.

2.3 Are certain problems underestimated or overly emphasized?

Underestimated

2.3.1 Please indicate the problems that have not been estimated rightly

Please note that there has been both underestimation and overestimation of problems - but the online form does not allow selecting both. 1 - The problem defined as “high level of administrative burden” seems to underestimate the exemplary benefits of the Public Private Partnership system

for testing of both sugar beet varieties and sugar beet seed. 2 - In the problem definition of “complexity and fragmentation of legislation” the benefit of a single Regulation seems to be overestimated. What counts is the content, not the number of legislative instruments. 3 - “Provisions contained in the EU S&PM marketing legislation on registration of varieties and on certification of individual S&PM lots are strict and time-consuming“.The impact of this issue seems to be overestimated.

2.4 Other suggestions or remarks

While there is certainly room for improvement, the general criteria of variety registration and seed quality control as laid down in current EU S&PM legislation for sugar beet are satisfactory. These criteria should not be questioned per se, but be maintained and – if possible – strengthened. It is clear from the national lists and the Common Catalogue that the current system already allows for a wide choice of varieties.

3. OBJECTIVES OF THE REVIEW

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

No

3.2 Have certain objectives been overlooked?

Yes

3.2.1 Please state which one(s)

Regarding Question 3.1: 1- The objective of fostering innovation appears to be placed into a too restrictive context of sustainability. It is indeed very important to select sustainable varieties, but the main focus of breeding and innovation in breeding should be on productivity, which is the best way of addressing sustainability issues. 2 - Innovation in plant breeding and the creation of new and more varieties also contribute to biodiversity. We consider that innovation is a separate and overall objective of the S&PM legislation and as such could be identified as an individual objective. Regarding Question 3.2: 1- Fulfilling the EU's global responsibilities for food security and globally sustainable agriculture appears to be – if not overlooked - understated. 2 - Official testing/testing under official supervision of both variety performance and seed quality is essential for agricultural crops, and especially for sugar beet. Its characteristics and description are less specific than for other crops. In the long term, the abstention from using innovation would not only jeopardise the farmers' competitiveness but also the goal of sustainability, since varieties which are not the most productive and resource-use efficient would be used. 3 - Varieties of agricultural crops must perform well under a wide range of environmental conditions over which farmers have no control. Farmers must be reassured that the ability of varieties to perform well under these various environmental conditions is adequately and reliably tested. 4 - As regards the Common Catalogue, the objective is not only to improve the level of information provided but also to improve accessibility of the Common Catalogue by making it a real-time, user-friendly web-based application.

3.3 Are certain objectives inappropriate?

Yes

3.3.1 Please state which one(s)

1- The objective “improve farmers' choice and access to a wide diversity of plant varieties” is misleading. In the framework of the seed marketing legislation, wider diversity is not a goal in itself, nor indeed is wider choice an automatic improvement in quality. While the improvement of farmers' choice is an important goal of the S&PM legislation, this improved choice should focus on varieties which are beneficial, fit for use and suitable for sustainable production (i.e. DUS & VCU, quality rather than quantity).

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

1

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

Explanation regarding reply to Question 3.4: Not all varieties that are applied for listing are protected. Furthermore, not all protected varieties are placed on the market: this is especially the case for hybrid parent lines. Plant variety protection is only based on DUS, whereas registration of agricultural crops should also involve VCU testing. In some cases, breeders only apply for national protection and not for protection at EU level. Explanation regarding reply to Question 3.5: All the objectives listed in the table are important. A situation/scenario necessitating the prioritisation (and thus ranking) of the objectives is, in our view, neither appropriate nor desirable. The online version would oblige a 1 to 5 ranking, rather than allowing all objectives to be ranked 1 or at least to have several 2s and 3s. Therefore, we choose to only rank the first objective, which we consider the top priority, without ranking the relatively higher/lower priority of the other 4 objectives.

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?

Yes

4.2.1 Please state which one(s)

It would appear that none of the scenarios as defined in the "Options and analysis paper" can achieve the desired goals. A combination of elements from scenarios 2 and 5 with the addition of some new elements might lead to a better scenario.

4.3 Are certain scenarios unrealistic?

Yes

4.3.1 Please state which one(s) and why

Scenario 1: While this scenario uses existing expertise, competence and structures, it would certainly mean increased direct and indirect costs for the whole sector and focuses on one of the identified objectives but none of the others. Therefore, it appears to be inconsistent with the overall aims of the review. Scenario 2: The text states that a transfer of responsibilities is not considered to raise any concerns. However, negative impacts are indicated in the summary tables of the options and analysis. Scenario 3: This scenario seems to be unrealistic and detrimental to almost all policy goals. Scenario 4: This scenario appears very similar to scenario 3. Scenario 5: A major negative impact of this scenario could be increased unfair competition from insufficiently distinct varieties (for example not tested for DUS). The validation of the

description of such varieties would be missing; as a result, such insufficiently distinct varieties could be very close lookalikes of appropriately tested varieties.

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?

No

5.2 Have certain impacts been overlooked?

Yes

5.2.1 Please state which one(s)

The impact on consumer information and protection (consumers cover the actors of the whole chain including farmers, growers, processors) – also with a view to traceability - of each scenario should also be considered. If certain elements of the legislation are removed, there is less information for consumers and thus reduced protection of consumers - which would be contrary to the trend in other policy areas.

5.3 Are certain impacts underestimated or overly emphasized?

Underestimated

5.3.1 Please provide evidence or data to support your assessment:

DUS and VCU tests should be conducted by an official authority or at least under the supervision of an official authority. VCU tests must cover the aspects/characteristics which relevant for the end user and the environment. Investments in Research and Development can only be justified with a high quality, official DUS testing system, and also a proper VCU testing system. Thorough and scientifically solid DUS testing is vital. Official authorities have the expertise and experience in the efficient collection, handling and analysis of data. It is not recommendable to compromise the quality of DUS testing by significantly reducing the reference collections. DUS testing is the basis for plant breeding as well as certification of later generations, and it is crucial to be able to phenotypically identify the protected variety. This has to be done by comparison with seeds from the standard seed samples. Official authorities must be in charge of DUS and standard seed samples. VCU testing must cover aspects relevant for both environment and use, including productivity and quality. Basic harmonisation of VCU trials should be aimed, but the trial management protocols as well as the information collected must be adjusted to the local situation, ensuring relevance for the individual countries/regions. The protocols and methods should be harmonised. The ways to measure criteria should - as far as possible, taking due account of national/regional specificities - be the same in all countries in order to have an EU catalogue with useful information for growers.

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

5 = not proportional at all

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

Rather negative

Scenario 2

Fairly beneficial

Scenario 3

Very negative

Scenario 4

Very negative

Scenario 5

Don't know

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

The long-established system of variety proving is an essential part of the integrated system for sugar beet. It is unique in Europe and has the following characteristics which should be maintained: 1. A network-structure of the whole chain of breeders, sugar beet growers, sugar industry and scientists; 2. high grade innovation and flexibility of the proved parameters (for example tolerances or resistances); 3. high cost-efficiency; 4. high selection pressure because of the national definition of VCU and maximal realisation of the breeding innovation in practice; 5. competition, transparency and quality of the results leading to high level of acceptance by farmers and sugar industry.

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

The main purpose of the new legislation should be to stimulate innovation in plant breeding and progress in valuable characteristics, such as 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. Scenarios 3 and 4 do not assure 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. A combination of some elements from scenarios 2 and 5 can be taken as a basis for a new scenario, together with some new elements. The main issue for sugar beet is a testing body under official and accredited supervision, testing the value for cultivation and use (VCU) as compulsory tests.

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

No opinion

6.2.1 Please explain:

7. OTHER COMMENTS

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

We would like to reiterate that the most important issue for sugar beet seed is official testing as stipulated in the system of national lists and the Common Catalogue. The sugar beet variety is a fundamental component of innovation. Therefore, official testing is needed. The basis for this is the Common catalogue and the national lists. For example, breeding for disease

tolerance/resistance is a major element of integrated plant protection – which in turn is an important element of the “National Action Plans” as stipulated in the EU Directive 2009/128 establishing a framework for Community action to achieve the sustainable use of pesticides. Individual sugar beet varieties cannot be sufficiently identified by purely visual “registrational description” (as is the case for cereals) and therefore cannot be differentiated from each other in this way. The appropriate description allowing the distinction between varieties can only be organised by official tests. Therefore, such tests are essential. These official tests constitute the central element of the integrated variety proving system and the exemplary Public Private Partnership operating for sugar beet seed. Removing sugar beet from the Common Catalogue would reduce neither bureaucracy nor costs.

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:

