

## **1. INTRODUCTION**

### **1.1 What is the name of your organisation?**

Groupement National Interprofessionnel des Semences et Plants (G.N.I.S.)

### **1.2 What stakeholder group does your organisation belong to?**

Breeder of S&PM; Supplier of S&PM; User of S&PM; Other

#### **1.2.1 Please specify**

G.N.I.S. is gathering representatives of breeders, seed growers, producers, suppliers and users

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

44, rue du Louvre 75001 Paris (33) 1 42 33 51 12 www.gnis.fr philippe.gracien@gnis.fr

## **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)**

European legislation on seeds needs to be strongly in favor of food security both in quantities and quality. The Commission White paper on Food Safety in 2000 was clear about the needs of tracability « from farm to table » and seeds are the basis of this. It's why seeds joined DG Sanco. More over the food crisis of 2008 and 2011 showed the permanent necessity of improving the productivity. In a more sustainable way of farming , genetic progress is the only way( already 90% of the increase of yield for wheat and barley in UK the last 25 years \*) to increase the production with less fertilizer and phytosanitary products. Without public orientation and control of genetic progress through registration of varieties and control of quality of seeds it would be impossible to reach these objectives.

### **2.3 Are certain problems underestimated or overly emphasized?**

Overestimated

#### **2.3.1 Please indicate the problems that have not been estimated rightly**

Costs of registration and certification are overestimated compared with the french implementation where certification and part of VCU is made under official supervision. Moreover this charge is mainly paid by stakeholders through seeds. The current regulation is all except a constraint for innovation. Between 1957 and 2007 wheat yield doubled in USA without compulsory registration and certification when it was multiplied 3 times in France and UK.

#### **2.4 Other suggestions or remarks**

In our national system, the productivity criterias are never been the only ones. Many others like diseases and pests resistances, agroclimatic and stress resistances, but also qualities for industrial process have been integrated in the evaluation system. Moreover the new " Grenelle" legislation in France decided to introduce new criterias considering sustainability of agriculture. Of course to have an effect this has to be compulsory. Finally, the system has been efficient : EU is the first producer of seeds worldwide, France alone the third country ; Germany the fifth ; Italy the sixth ; Netherlands and France are the first and second seed exporters in the world.

## **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)**

The first general objective is the food safety on quantity and quality. Consequently, we need to add in specific objectives the improving of productivity

### **3.3 Are certain objectives inappropriate?**

Yes

#### **3.3.1 Please state which one(s)**

We don't share the idea that horizontal framework is absolutely requested to address general and specific objectives. The increasing of level of information in the common catalogue is hardly compatible with the reduction of administrative burden and cost. The influence of EU on international standards is at its top through OECD seed schemes and EU certification equivalence system and can't be strengthened.

### **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**

3

**Empower users by informing them about seed and propagating material**

2

**Contribute to improve biodiversity, sustainability and favour innovation**

**Promote plant health and support agriculture, horticulture and forestry**

### **3.6 Other suggestions and remarks**

In 3.5 : Improve productivity is also number 1. By mixing under single and same objective : biodiversity, sustainability and innovation, assumption is made that all are strongly correlated. It's a pure assumption that is not at all demonstrated. Therefore, answering this question is impossible and, in any respect, flawed !. In 3.4 : it would suppose that all varieties are protected at CPVO level which is not true. It would introduce unfair competition between european and national protections, inside and outside EU. Finally there is already mutual recognition of DUS if DUS is done by a body member of UPOV and we don't see the interest of the proposal.

## **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)**

Yes we miss a scenario whose target would be to improve the current system through financial

optimisation and integration of new environmental issues.

#### **4.3 Are certain scenarios unrealistic?**

Yes

##### **4.3.1 Please state which one(s) and why**

Scenario 3 and 4 are unrealistic. By allowing breeders and suppliers to supply the market without any formal and official control, compare to the current situation these scenarios represent a strong regression, specially with regard to user informations and public leverage aimed at orientating genetic progress. Specially for certification, if EU would stop compulsory certification, the all OECD seed schemes will collapse. We have to remind that on 58 members countries, 34 are from Europe and the others from America, Africa, or Asia clearly joined the system because it is compulsory if you want to sale seeds on the first market of the world: EU market . We have to remind also that America with Australia, Japan and New Zealand has its own voluntary seed scheme, which is AOSCA. And last, USA already questioned in the nineties the OECD seed schemes.

#### **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)**

See 4.3.1 : the impact on european seed industry of optional scenarios 3 and 4 have not been really studied mainly because they were denied. It's because of compulsory regulation that there are still in France 74 large , medium, and small seed breeding companies, 240 seed producers , 18 000 seed growers, and 500 news varieties each year. These compulsory legislation and standards influenced the all world and allow Netherlands, France, but also Italy or Germany to be the main exporters of seeds thanks to harmonization of regulations.

#### **5.3 Are certain impacts underestimated or overly emphasized?**

Underestimated

##### **5.3.1 Please provide evidence or data to support your assessment:**

The impact on phytosanitary and sanitary reinforcement, needed to obtain the same security than the one we have through certification of seeds, is totally neglected.

#### **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**

Fairly beneficial

##### **Scenario 2**

Fairly beneficial

### **Scenario 3**

Very negative

### **Scenario 4**

Very negative

### **Scenario 5**

Neutral

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

All stakeholders, included users, in France are clearly in favor of compulsory registration, and certification of seeds for agricultural crops. More than that, during the " Grenelle de l'Environnement" it was decided by all stakeholders, included NGO's, to influence breeding activities in a more sustainable way through registration criterias, which of course would be impossible with optionnal registration and certification of seeds.

## **6. ASSESSMENT OF SCENARIOS**

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

A combination of scenarios

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

For agricultural and vegetable crops the scenario 2 seems to be the most adapted to reach the objectives of the european policy on seeds. For VCU we need evolution to integrate environmental criterias in the experimentation and to give more informations to users. For certification about agricultural crops the scenario 2 is used in France with no cost for public authorities an at a very reasonable cost for users ( less than 1% of the turn-over). The scenario has to be improved by closer links with phytosanitary legislation and 882/2004 regulation. For Agricultural crops : - Compulsory DUS made by official bodies with mutual recognition between member states - Light DUS for conservation varieties (CV) and niche markets (NM) - Compulsory VCU with new environnemental criterias - Compulsory certification under official supervision - No certification but control of commercialisation for CV and NM For Vegetable crops : - compulsory DUS made by official bodies - Light DUS for CV and NM - No VCU - No certification but control of commercialisation For Both : - registration of all breeders and suppliers.

#### **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?**

No

#### **6.2.1 Please explain:**

- The impact on plant health and quality of seeds of scenario 2 is not negative - The impact on administrative burden of scenarii 3 and 4 is clearly positive for private sector but not the impact on costs. At the opposite if DUS or VCU is made by a company, this company needs to have a reference collection which means between 1000 and 8000 accessions for each specie and it's very costly. - The impact on competitiveness and trade of scenarii 3 and 4 is clearly negative with the end of harmonized standards through OECD seed scheme. - The environnemental impact is positive on scenario 1, 2 and 5 if we had new criterias on VCU. The impact of scenarii 3 and 4 is clearly negative with no tools in the hands of member states to influence breeding activities.

## **7. OTHER COMMENTS**

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

The review in scenario 4 made reference to a rate of 30 – 35% of registered varieties which are protected. This rate doesn't take in consideration national protections and varieties which are not cultivated.

### **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:**

- NIAB web site - ISF web site - OECD web site - Comtrade - GNIS study on varieties in 2009.

