



EUROPEAN COMMISSION

Health and Food Safety Directorate General

sante.ddg2.g.5(2018)2810500

**SUMMARY REPORT OF THE
STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED
HELD IN BRUSSELS ON 19 APRIL 2018**

(Section Seeds and Propagating Material for Agriculture and Horticulture)

CIRCABC Link: <https://circabc.europa.eu/w/browse/403b8c9b-c01b-4200-982d-82c9198c478b>

A.01 Presentation of a working document on the requirements for soybean, in particular the threshold for inert matter.

The Commission presented the updated working document which included certification results of France on the issue of inert matter and quality of seed including germination rate. The delegate from France presented an impact analysis in comparison to other species such as maize and peas. Concerning soybeans the intention of the requirements is to ensure at least 80 % germination rate for 98 % of the soybean seed lot ('pure seed'). An exchange of views took place and the Member States suggested to delete the requirement on inert matter for soybean seeds as no plant health risks can be longer identified. One delegate asked to look also at the inert matter requirement for sugar beet seed. The Commission took note of the requests and will evaluate the French impact analysis.

A.02 Presentation of a working document on the update on the use of common names in the Directives 2002/55/EC and 2008/72/EC.

The Commission presented a Working Document outlining a revised version of the species list for Council Directives 2002/55/EC and 2008/72/EC, taking into account comments received after the first draft. The Commission explained that a decision on the addition or deletion of species should be postponed to a later stage. Member States welcomed the progress made, in particular the attempt to limit the use of Cultivar Groups to the absolute minimum, and provided comments on some species. CPVO pointed out that some varieties cannot be attributed to Groups and that any changes to the structure of the species list in the two Directives will have repercussions for electronic databases on varieties and also potentially on DUS testing protocols. Member States were asked to provide further comments on the Working Paper by 15 May 2018.

A.03 Update on the issue of difficulties to receive reference material in view of carrying out post-control trials on registered varieties.

The Commission presented the issue raised by one Member State which still faces problems to receive reference material from other Member States' authorities, who carried out variety registration, in view of carrying out post-control trials. The established contact list has been useful but has not removed the problem. One Member State gave a presentation of the issues encountered and an exchange took

place on e.g. the need to store a sample if the variety was DUS tested in another Member State, requests that were not answered, protected varieties, purpose and size of sample and fees raised in some cases. The Commission informed that it is available to assist if it is informed about a case. All the Member States agreed on the suggestion to develop guidelines on the matter.

A.04 Exchange of views on maintenance breeding of varieties and best practices applied in the Member States.

One Member State gave a presentation on controls of maintenance breeding of varieties and related good practices. The Member States welcomed the presentation and an exchange took place. It was agreed that this matter should also be included in the guidelines on reference material taking into account the respective guidelines of the OECD Seed Schemes.

A.05 Exchange of views on a request from Denmark to amend the quantitative restrictions for maize seed laid down in Commission Decision 2004/842/EEC (the so called not-yet listed varieties).

The delegate from Denmark presented its request to amend the quantitative restrictions for seed of the so called not-yet listed varieties of maize as to allow larger scale tests and trials as in Denmark the 0.1 % authorised today only equals 190 ha. An exchange took place on understanding the problem, potential misuse of the derogation for pre-multiplication purposes of seed and demonstration of the need for larger testing area for e.g. a limited period of time. Following the discussion the request will be updated. The Commission took note.

A.06 Update on the approach to seed fraud.

The Commission informed that the updated contact list of Seed Fraud Network and the template have been put on CIRCA BC and shared with contact points. In case of potential issues the template should be used to assist cooperation between the Member States. In addition, the Commission informed about potential case in relation to hemp seed and fodder crop seed imports.

A.07 Update on the Commission/CPVO project on a unique EU IT System on plant varieties.

The CPVO gave a short update on the project which intends to develop an IT system whereby a unique contribution may be used to submit national data to the Common Catalogues and CPVO's Variety Finder. A working group comprising Member State experts, stakeholders, Commission and CPVO staff have elaborated the content and functionalities with few remaining questions. The work will continue on the basic architecture and drafting of the specifications. Answering questions it was clarified that the scope could in the future cover step by step all plant varieties/material, including e.g. vine varieties, cooperation with OECD Seed Scheme could be established, not-yet listed varieties could be included and the current footnotes in the Common Catalogues should be evaluated.

A.08 Update on EU equivalence requests.

The Commission informed that the equivalence decision for Brazil and the Republic of Moldova will be addressed by Coreper on 27 April 2018 with the intent to give a negotiating mandate with the European Parliament. The equivalence decision for Ukraine is in the process of adoption by the Commission. Concerning the equivalence request by India, France expressed interest in assisting Germany and the Netherlands in assessing the relevant Indian legislation. The Commission informed that the request to Senegal to send the relevant legislation has not been answered yet.

A.09 Follow-up of OECD Seed Scheme matters.

The Commission provided an update on OECD Seed Scheme matters following the Technical Working Group meeting in Paris, 30 January to 2 February 2018. The Commission noted that a number of controversial issues were postponed to the next Technical Working Group, in particular the issue of varietal mixtures and the role of biochemical and molecular techniques in controlling varietal identity in the certification process. The Commission noted the completion of the Action Plan and thanked the Member States for their constructive participation in the process.

A.10 Update on Nagoya Protocol guidance for the breeding sector.

The Commission informed that the national experts have arrived at a consensus concerning the definition of commercial variety, which falls outside the scope of the implementation of the Nagoya Protocol in the EU. One topic still to be resolved is the formulation of the justification for exempting forest reproductive material from the scope of the Nagoya Protocol.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Directive amending Council Directive 66/402/EEC as regards isolation distances for *Sorghum* spp.

The Commission presented the text that aligns the EU rules with the OECD Seed Scheme standards on isolation distances for the cultivation of *Sorghum* spp., especially to take into account areas where the presence of *S. halepense* or *S. sudanense* is a particular cross-pollination issue. There were no comments from Member States.

Vote taken: Favourable opinion.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Directive correcting Council Directive 66/401/EEC as regards maximum lot weight for fodder plant seed.

The Commission presented the text that corrects the Annex of Directive 66/401/EEC to re-introduce a footnote on maximum lot weight for fodder plant seed. It was agreed to extend the implementation date until the end of 2018.

Vote taken: Favourable opinion.

C.01 Exchange of views of the Committee on a draft Commission Implementing Decision amending Implementing Decision 2014/150/EU on the organisation of a temporary experiment providing for certain derogations for the marketing of populations of the plant species wheat, barley, oats and maize pursuant to Council Directive 66/402/EEC.

The Commission presented the text and the Member States agreed to extend the deadline up to the maximum of seven years.

M.01 AOB

One delegate asked for clarification as regards import of vegetable standard seed from non-EU countries. The Commission reaffirmed that imports of vegetable standard seed from non-EU countries require an equivalence decision according to Article 37(1) of Council Directive 2002/55/EC and that unprocessed vegetable seed ("seed as grown" according to Article 21 of Council Directive 2002/55/EC) can be freely imported.

Two delegates requested about the Commission's intention to organise a joint Working Group meeting for plant reproductive material (PRM) and plant health experts to discuss the implementation of the new Plant Health Regulation in relation to the position of the quality pests/RNQP and the new plant passport requirement for seeds. One delegate asked about issuing official label/plant passport as the rules are different under the respective basic legislations (under PRM Directives competent authority issues, under PH Regulation supplier issues) and another delegate on EU equivalence, controls and sharing of seed lots according to OECD Seed Schemes rules. The Commission informed that it will organise the joint meeting on 22 May 2018, legal analyses are being carried out and any questions in writing are welcome by 13 May 2018. The received questions will be shared on CIRCABC for both PRM and plant health experts.

CPVO informed that its Administrative Council agreed in the meeting of March this year on the revised CPVO Guidelines and Explanatory Note on variety denominations on the basis of the proposals of the respective CPVO Working Group. The intention is that the revised CPVO Guidelines enter into force once the [Commission Regulation 637/2009/EC](#) establishing implementing rules as to the suitability of the denominations of varieties of agricultural plant species and vegetable species has been amended and is applicable.

CPVO informed about revised and new test protocols: for agricultural crops 2 revisions and one new for hemp and for vegetable species 7 revisions and one new on chicory. The Commission will present an update of the lists of testing protocols ([Commission Directives 2003/90/EC](#) and [2003/91/EC](#)) for vote in autumn.