1. INTRODUCTION

1.1 What is the name of your organisation?
The Plant Health Directorate within the Ministry for Resources and Rural Affairs

1.2 What stakeholder group does your organisation belong to?
Competent Authority (CA) involved in S&PM certification and control; 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
Seeds and other Propagation Material Unit Plant Health Directorate Agriculture and Fisheries Regulation Department National Research and Development Centre Ghammieri, Marsa MRS 3300 Malta Tel No: 25904153 and 25904135 Fax No: 25904120 Email: spmu.mrra@gov.mt Website: www.planthealth.gov.mt

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?
Rightly estimated

2.3.1 Please indicate the problems that have not been estimated rightly

2.4 Other suggestions or remarks
Fees at EU level (as stated under the "Distortions in the internal market" part of the report presented with this questionnaire) should be left at the discretion of the individual Member States which should take into consideration the type and extent of the activities in their territories. If rules for fees have to be established uniformly at EU level in the future, for example for inspections, these should be classified according to the type of supplier, whether it produces/markets for professional or for non-professional final consumers and the grade of his/her activity (large or small producer/trader). As regards the current situation where some Member States recover the whole cost of variety testing while others recover a part, this should be left at the discretion of the individual Member States.

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?
No

3.2.1 Please state which one(s)

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?
Yes

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
2

Empower users by informing them about seed and propagating material
4

Contribute to improve biodiversity, sustainability and favour innovation
3

Promote plant health and support agriculture, horticulture and forestry
5

3.6 Other suggestions and remarks
The objectives mentioned in question 3.5 are linked to one another. Therefore, all objectives are important and have to be taken into consideration together in the review of the Seeds and propagation material marketing legislation

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?
No opinion

4.3.1 Please state which one(s) and why

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
Given the fact that the marketing of seeds and other propagation material has evolved throughout the years at EU level due to different market demands, more experience in the sector and the use of modern technologies the scenario proposing no changes cannot be taken on board.

5. ASSESSMENT OF OPTIONS
5.1 Are the impacts correctly analysed in the context of S&PM marketing?
Yes

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?
Rightly estimated

5.3.1 Please provide evidence or data to support your assessment:

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

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
Fairly beneficial

Scenario 4
Very beneficial

Scenario 5
Very beneficial

5.5.1 Please state your reasons for your answers above, where possible providing evidence or data to support your assessment:
All of the scenarios provide beneficial options which can be taken on board in the implementation of the new rules. The registration of varieties and material and the certification / inspection of plant material were the main issues that were taken into consideration when assessing the different scenarios by the Plant Health Directorate. These issues are linked to the bulk of the work that needs to be carried out when implementing the EU legislation. The activities being carried out by the national authorities and by the CPVO for national listing and plant variety protection can be amalgamated.

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?
A new scenario can be established which will have a combination of elements from a number of

scenarios.

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?
Yes

6.2.1 Please explain:

7. OTHER COMMENTS
7.1 Further written comments on the seeds and propagating material review:
The new legislation on seeds and other propagation material should be concise and workable in order to allow harmonised interpretation and implementation of the rules by all EU Member States.

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:
N/A