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HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Safety of the Food Chain

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SUMMARY REPORT OF THE MEETING OF THE STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED

Section Seeds and Propagating Material for Agriculture, Horticulture and Forestry

24 OCTOBER 2014

Chairperson: Ms Päivi Mannerkorpi

All Member States were present, except Cyprus, which mandated Greece, and Portugal, which mandated Spain. Norway and Switzerland participated as observers.

SECTION A Information and /or discussion

A.1. Discussion on developments in the area of labelling (EU and OECD - Organisation for Economic Co-operation and Development).

The Netherlands has identified a growing interest in the labelling of small packages (100 to 1000 grams), also for exports to third countries. The trading is often done to other companies which sell to the end consumer. In the Netherlands labelling of small packages according to the simplified EU-rules is practised on quite a large scale, especially for mixtures of grass seeds for non fodder purposes. The OECD-rules regarding the labelling of mixtures are too restrictive for the labelling of small packages, and the Netherlands has proposed to the OECD to simplify the rules for the labelling of small packages. A discussion took place concerning the need to provide information on the label on all the components of the mixture and whether mixtures should also be allowed for other species. It was agreed to discuss this issue further in a Commission Working Party.

A.2. Discussion on rules for the certification of barley hybrids (EU and OECD).

The German delegate presented a proposal to amend the Annexes of the Council Directive 66/402/EEC on the marketing of cereal seed based on a revised working document (CMS hybrid barley) of the Standing Committee meeting of 14 May 2014 and including the comments received from the members of the ad hoc Expert Group. Members of the Expert Group were in favor of increasing the minimum distance, of decreasing the varietal purity standard for certified seed to 85 % and of having a minimum of one field inspection. A discussion took place and it was agreed that the issue of post-controls and the use of appropriate biochemical methods to test varietal purity shall be discussed further in a Commission Working Party. The Commission will prepare the necessary draft implementing Directive.

A.3. Discussion on rules for the certification of varietal seed mixtures (EU and OECD).

The Commission informed about the EU position concerning the proposal for the amendment of the OECD maize and sorghum scheme to provide for the certification of seed lots consisting of varietal mixtures of maize as 'refuge in bag'. Moreover, the results of the survey on the marketing of varietal mixtures of cereal seed carried out in February 2014 were presented. Only in very few Member States cereal varietal mixtures are marketed and to a limited degree. Therefore, it seems that for the time being there is no need for more detailed implementing rules for the production and marketing of such mixtures.

A.4. Report on the implementation of Commission Decision 2004/842/EC on the placing on the market of seed of not yet listed varieties.

The Commission presented a report on the application of the Commission Decision 2004/842/EC on not yet listed varieties. In 2013 a total of 483 notifications were received from Member States. Notifications of authorisations concerned a total of 651 different varieties of agricultural species, and a total of 2134 varieties for vegetable species. Where for vegetables the use of the Decision has been quite stable over the past 4 years, there has been a gradual increase for agricultural species as regards both number of authorised varieties and number of participating Member States.

A.5. Report on the implementation of Regulation (EC) N° 217/2006 as regards the authorisation of Member States to permit temporarily the marketing of seed not satisfying the requirements in respect of the minimum germination.

The Commission presented a report on the application of Regulation (EC) N° 217/2006. In the period autumn 2013 - spring 2014, 15 requests have been submitted to the Commission by Member States affected by supply difficulties and wishing to permit temporarily the marketing of seed which does not satisfy the requirements in respect of minimum germination. The 15 requests concerned 11 different species. 12 out of the 15 derogation requests only indicated 1 to 3 varieties, 3 listed 5 or more varieties. For 11 out of the 15 requests, no offers were received, and the authorisations were granted for the requested amounts. In the other 4 cases, the requesting Member States received one or more seed offers. A short discussion took place. Some Member States requested more detailed justifications when refusing offers from other Member States.

A.6. Questions related to the taxonomy of plant species.

The Commission presented three issues in relation to the taxonomy of plant species.

Council Directive 2002/55/EC on the marketing of vegetable seed lists in Article 2 both scientific and common names of the species to which the Directive applies. The Commission service position is that the Directive applies to all varieties of the species listed with their scientific names and that the common names only have an explanatory purpose. A short discussion took place. One Member State noted that some types of varieties of listed species only have regional importance and that an obligation to register such varieties would be too burdensome.

The Member States agreed that varieties of *Capsicum frutescens* need to be registered as this taxon is synonymous with *Capsicum annuum*, which is a listed species.

The third issue concerned varying interpretations of the proper species name for hard fescue. One Member State proposed to follow up this issue in the relevant scientific bodies.

The issue will be discussed in a forthcoming Commission Working Party.

A.7. Use of the term 'accreditation' by ISTA.

Article 2(11) of Regulation (EC) No 765/2008 stipulates that a national accreditation body means 'the sole body in a Member State that performs accreditation with authority derived from the State.' In the EU, the International Seed Testing Association (ISTA) continues to carry out accreditations of seed testing laboratories in parallel to the system established by Regulation (EC) No 765/2008. The activities of 'accreditation bodies' such as ISTA that are not the officially appointed national accreditation bodies cannot be considered as accreditation in the sense of the Regulation. The Member States delegates discussed the issue with a view to identify possible solutions.

A.8. Exchange of views on possible difficulties to obtain reference samples for post-control test.

During the ESCAA (European Seed Certification Agencies Association) meeting 2014 the difficulty of obtaining an official reference sample for post control for varieties originating in other countries was identified. The Commission stressed the need to apply the OECD rules on post controls with regards to varietal identity and varietal purity, and especially with regards to the issue of Standard Sample. This is important in order to ensure the effective implementation of the marketing Directives (e.g. Article 3(3) of Directive 66/402/EEC on marketing cereal seed). During the discussion, the Commission also stressed that competent authorities are obliged to provide standard samples to other Member States' competent authorities for the purpose of post-control. On the basis of a suggestion from the Member States the Commission will consider to establish a list of competent authorities which would provide reference samples for post-control testing on request.

A.9. Presentation of information collected by Denmark in some EU Member States on carrying out official post-controls.

Denmark presented the results of a survey on control plot testing in DK, FR, DE, NL, UK and SE. EU Directives and OECD rules prescribe that varietal identity and varietal purity shall be tested. This should be done both by post controls (control plot testing) and by field inspections. The existing regulatory framework leaves room for interpretation and there may be the need to achieve stronger harmonisation. The issue will be discussed in a forthcoming Commission Working Party.

A.10. Update on the handling of the EU equivalence requests.

The Commission informed on the status of equivalence requests from Ukraine, Moldova, Brazil and Turkey. If positive legal analyses are concluded one or two FVO missions could take place in 2015.

A.11. Presentation of Traces: TRAdE Control and Expert System.

The Commission provided a presentation of Traces, the trans-European network for veterinary and plant health which monitors imports, exports and intra EU-trade in animals, animal products, non-animal products and plants. A short discussion took place after the presentation. One Member State raised the issue of the compatibility between Traces and national systems. The Commission concluded that more efforts are needed to identify the elements of the system which could be useful for information exchange and controls of plant reproductive material.

A.12. Miscellaneous.

- The Commission informed the Member States about the new name of the Standing Committee, which will be from now on Standing Committee on Plants, Animals, Food and Feed (PAFF). New sections of the Standing Committee will be: Agriculture and Horticulture; Forest reproductive material; Fruit plants; Vine; Ornamental plants. It also informed about the new voting rules that will be in force as from 1 November 2014. They will be based on a system of double majority, qualified majority requiring 55% of Member States voting in favour representing 65% of the population.
- The Commission informed the Member States that the new Commission should decide in due time about the submission of an amended proposal for the new plant reproductive material law which would take into account the opinions of the European Parliament and of the Council.
- The Danish delegate asked about the application of rules on reference number in case of dividing a seed lot and the establishment of different lots with different marketing categories. The Commission will look into the legal requirements.

- The French delegate raised an issue of date of application of the revised requirements in Annex I and II of Directive 2002/56/EC and of the introduction of Union grades of seed potatoes. The Commission emphasized that lots marketed after 1 January 2016 have to comply with the new requirements. The Commission recommended that competent authorities assure that crops grown in 2015 will be able to fulfil the requirements if they are marketed in 2016.

SECTION B Drafts presented for an opinion

B.1. Commission Implementing Directive amending Directives 2003/90/EC and 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC and Article 7 of Council Directive 2002/55/EC respectively, as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species and vegetable species (SANCO/11647/2014)) (Legal base: Article 7(2) of Council Directives 2002/53/EC and 2002/55/EC).

The Commission presented the text. A short discussion took place concerning the date of application. Some Member States proposed minor editorial changes.

Vote taken: Favourable opinion