

1. INTRODUCTION

1.1 What is the name of your organisation?

Administration des Services Techniques de l'Agriculture (ASTA)

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

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2. PROBLEM IDENTIFICATION

2.1 Are the problems defined correctly in the context of S&PM marketing?

No opinion

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?

Overestimated

2.3.1 Please indicate the problems that have not been estimated rightly

- complexity of the system - administrative burden - degree of non harmonization of the market for seed and propagation material

2.4 Other suggestions or remarks

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?

Yes

3.3.1 Please state which one(s)

A single horizontal legal framework for the marketing of S&PM should not be an aim by itself. We are not convinced that a single horizontal legal framework for all kind of S&PM will be a real simplification and easier to understand, since there a substantial differences between the seed sector for agriculture crops and propagating material for ornamentals, fruit trees, vegetables, the

vine sector or forestry material.

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

4

Empower users by informing them about seed and propagating material

5

Contribute to improve biodiversity, sustainability and favour innovation

3

Promote plant health and support agriculture, horticulture and forestry

2

3.6 Other suggestions and remarks

4. OPTIONS FOR CHANGE

4.1 Are the scenarios defined correctly in the context of S&PM marketing?

No opinion

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

Certain scenarios have not really been overlooked, but we think that it should be possible to combine elements from different scenarios to build a new one. Certain elements are not clear and have to be specified in order to fully understand the consequences of the different scenarios. For instance is the full cost recovery only applying to scenario 1? Are the provisions of regulation 882/2004 only applying to scenario 5? etc

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)

Full cost recovery or cost transfer will have a significant, negative impact on Small and Medium Enterprises (SME). This cannot be ignored. In general, all over Europe, for the seed sector as well for the concerned administrations, cost savings through the transfer of cost will be at a global level rather limited. However the impact on SME, certain regions, certain smaller countries or certain smaller seed producers, and last but not least minor crops will be crucial, especially compared to the global cost savings for the sector. Furthermore, innovation and research will be negatively affected, not only during a transitional period. Will a full cost recovery still allow seed production all over Europe for all climatologic zones? There is a big risk that there will only be innovation for species of major importance and that overall the amount of varieties available on the market, and therefore the consumer's choice, will seriously decrease. In addition we think that full cost recovery will not have a neutral impact on the quality of seed and propagating material. The actual system is well known to the consumers. They trust the controls, testing and official labeling. A radical change may lead to a loss of transparency, confidence choice on the market and therefore increase the use of farm saved seed. Furthermore, what are the impacts of the provisions of the regulation 882/2004 on the seed sector?

5.3 Are certain impacts underestimated or overly emphasized?

Underestimated

5.3.1 Please provide evidence or data to support your assessment:

Underestimated: In general the possible negative impacts of the different scenarios on SME, minor crops, on the EU wide seed production in general and on the quality of seed and propagating material are underestimated. Overestimated: Simplifications, positive impacts on cost savings and reduction of administrative burden expected by the different scenarios.

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

No opinion

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**

Very negative

Scenario 2

Very beneficial

Scenario 3

Rather negative

Scenario 4

Very negative

Scenario 5

Rather negative

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

Scenario 1. Full cost recovering is not an appropriate solution for all kind of breeders, SME, seed producers and seed productions. Scenario 2 seems for us to be a balanced solution between a reduction of costs / administrative burden and the quality of seed and propagating material.

Scenario 3 might have a negative impact on innovation and on the quality of seed and propagating material. Scenario 4 is not a simplification for consumers and might have a negative impact on the quality of seed. Scenario 5 has some interesting elements, namely the centralized approach for variety registration, but we have serious doubts on the suitability of the provisions of the regulation 882/2004 for the seed sector.

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 combination of scenario 2 and scenario 5 and, why not, certain elements of scenario 3 and 4.

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:

see above

7. OTHER COMMENTS

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

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:

