

1. INTRODUCTION

1.1 What is the name of your organisation?

ARVALIS – Institut du végétal, France

1.2 What stakeholder group does your organisation belong to?

User of S&PM; Other

1.2.1 Please specify

ARVALIS -Institut du végétal (a technical institute) is responsible for applied research in France on cereals, maize, pulses, sorghum, potatoes and forage. The aim of this Institute is to develop and transfer techniques and information enabling farmers to adapt to the needs of the market and to maintain their international competitiveness, while protecting the environment.

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

2.2 Have certain problems been overlooked?

Yes

2.2.1 Please state which one(s)

The needs in genetic progress are not sufficiently exposed. They are essential for the competitiveness of EU farmers, agro industries and markets, for a sustainable agriculture. The genetic progress in productivity has largely contributed to the yield increase in different countries (*). The EU legislation on seeds has a objective of orientation in food security both in quantities and quality, in varieties adapted to climate changing by regularity productivity, to less needs in phytosanitary protection and water. To reach these new and difficult objectives, the orientation and coordination of the contributors of genetic progress and transfer with the public instances stay very important. (*) Brisson, N., et al., Why are wheat yields stagnating in Europe? A comprehensive data analysis for France. *Field Crops Res.* (2010), doi:10.1016/j.fcr.2010.07.012 Lorgeou J. et al., 2009, Une progression des rendements soutenue par le progrès génétique en maïs, *Perspectives Agricole* N° 355

2.3 Are certain problems underestimated or overly emphasized?

Overestimated

2.3.1 Please indicate the problems that have not been estimated rightly

The profile and the characteristics of innovations are important to consider that a new variety is an innovation. We don't think that the S&PM regulation is a problem for the genetic innovations. The definition of the technical regulation permit to guide the breeding, varieties evaluation and advices on objective and strategic criteria in relation with the agricultural national and European policies and the needs of farmers and markets. The registration and certification costs have to be considered, but the problems are overly emphasized in comparison of the added value brought by more performing varieties.

2.4 Other suggestions or remarks

The scenarios would be more ambitious through harmonization of DUS and VCU to be more efficient in data collecting and dissemination with costs optimization. The productivity criteria are

important in the VCU comparisons, but in lot of registration systems diseases and pests resistances and qualities for industrial process are integrated. The variability of the agro climatic conditions of the trials networks permit also to test the regularity of the varieties' comportments.

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 objectives of agricultural production in the economic context of increase in the needs of agricultural commodities in quantity and quality and of agriculture respectful of the environment deserve to be highlighted in the priorities of the varieties and seeds regulatory developments. Indeed, the genetic progress appears as a major lever. Objectivity and impartiality of varieties evaluations, carried out under the official control is a guarantor of fairness of treatment innovations, breeders and information made available to users. The minimum homogeneity of registration between Member States (MS) systems would limit competition between MS for registration facilities, while the objective is to register innovations always more adapted to the conditions of soils, climates, systems of production and technological suitability of different European production basins.

3.3 Are certain objectives inappropriate?

Yes

3.3.1 Please state which one(s)

The objective of lowering costs is laudable but should be secondary on the analysis of the value added for the EU by genetic advances balanced between all the criteria of interest and a seed quality control, consistency of events of DUS and VCU between countries.

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

3

Secure the functioning of the internal market for seed and propagating material

5

Empower users by informing them about seed and propagating material

4

Contribute to improve biodiversity, sustainability and favour innovation

1

Promote plant health and support agriculture, horticulture and forestry

2

3.6 Other suggestions and remarks

Concerning question 3.5 The 5 priorities are not all similarly kind depending on whether one is interested to profiles of varieties or to the provision of seeds. Priority objective 1 is to promote innovation that meets objectives of agronomic value (productivity, quality, resistance of biotic and

a-biotic stress) while enhancing the sustainability of the resistance to pathogens and the regularity of yields and quality, which also passes through a genetic biodiversity. About the question 3.4 A variety can't be considered automatically registered in an EU catalogue as soon as a variety protection title is granted by CPVO. The DUS and VCU evaluation has to be considered for the innovation valorisation and for the users.

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)

None of the scenarios is completely satisfactory in regards of technical purposes. More intermediary scenarios could be offered, combining 1, 2 and 5.

4.3 Are certain scenarios unrealistic?

Yes

4.3.1 Please state which one(s) and why

Scenario 3 and 4 don't answer at the harmonization objectives and the orientation of genetic progress in a consensus between the public authorities, public researches, farmers, users, breeders and agro industries. The risks for the farmers and their extension services are: - Insufficient varieties screening on all key criteria and non neutral information, - Leaderships of great breeders and agro industries with not enough possibilities to consider farmers and more global waiting, - Transfer of the VCU comparisons to the extension services, so it's only a costs transfer on users and farmers organisations. Their non official statutes could be a difficulty in a context of private societies marketing strategies.

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

These scenarios "no-changes" and the "abolishment" are the easier in comparison of the others. The diagnosis of the heterogeneities of registration systems and cost between the countries has to find proposals facilitating transparency in national systems, a minimal harmonisation platform for DUS, VCU and certification at European scale compatible with national needs and without competition between national catalogues, a traceability of deposits and data base at the European level.

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)

The scenarios have not enough been evaluated in benefits and annoyances consequences on: genetic progress on key criteria, genetic diversity, numbers of varieties by crop and numbers of breeders and seeds producers.

5.3 Are certain impacts underestimated or overly emphasized?

Underestimated

5.3.1 Please provide evidence or data to support your assessment:

Studies in France and in Europe show that the genetic progress has largely contributed to the challenges of increased yields (*), the quality and improving resistance to diseases. Indirectly, they show that this has been allowed by the continuum of research and development of the selection, registration, post-inscription evaluation and the adoption by farmers using objective comparisons between the registered varieties and provision of quality seed. Suppression of VCU tests would no longer provide these same guarantees. (*) Brisson, N., et al., Why are wheat yields stagnating in Europe? A comprehensive data analysis for France. *Field Crops Res.* (2010), doi:10.1016/j.fcr.2010.07.012 Lorgeou J. et al., 2009, Une progression des rendements soutenue par le progrès génétique en maïs, *Perspectives Agricole* N° 355

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

4 = not very 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

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:

ARVALIS, which is a technical institute for research and advices to farmers and extensions services of co-ops and chambers of agriculture, is clearly in favour of compulsory registration (DUS and VCU) and certification of seeds for agricultural crops. The institute consider that the genetic progress has to be oriented by varieties long-awaited profiles defined by registration VCU criteria.

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?

Scenario 1, which is near the maintenance of the current system, has shown its effectiveness and allows each Member States to focus on the agronomic criteria most important to their contexts of production and market. But the downside to not propose European harmonization and do not share the costs that might be a little more. Scenario 2, partially implemented in France for the certification of seeds and partition of costs with breeders, has the advantage of a desire for harmonization of VCU between member states evaluation methods. It could restrict competition between States in the ease or difficulty of registrations and provide information more transparent and usable for the farmers. The scenario 2 seems to be the most adapted to reach the objectives

of EU policy. Scenarios 3 and 4 do not give controlling the direction of genetic progress between the various contributors. They also have the disadvantage of not guaranteeing distinctness of innovations (no sufficient D of DUS) and transparency on the comparative advantages of VCU between varieties for farmers and users. Scenario 5 has the disadvantage of not be oriented of harmonisation in VCU, but has an interest for DUS but with administrative burdens.

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:

For agricultural crops: A combining scenario between scenarios 1 and 2 seems to be more appropriated: - DUS : scenarios 1+2 and 5 with common criteria between member states in the same dynamic of OCVV regulation. Compulsory DUS made by official instances with mutual recognition between member states, especially concerning Distinction. Development of a centralised data base with OCVV which could administrate European catalogue. Possibility of light DUS for conservation varieties (CV) and niche markets (NM) - Certification : Compulsory certification under official supervision, No certification but control of commercialisation for CV and NM - VCU : scenarios 1+2. o Compulsory VCU by the member states, with productivity, quality, actual and criteria of diseases and pests resistances, water efficiencies, o progressive EU harmonization on these 3 families of traits through in a first step ? English translation of all the technical registration systems, testing protocols, measurements methodologies and national results ? in a second stages, using CEN normalized methods for measurements and laboratory analysis, ? harmonization of a minimal list of VCU criteria, like earliness and maturity group (very important to compare the varieties between member states), yield, diseases and pests resistances, food and feed values based on international market criteria o Possibility of partition of costs with the breeders, users and the professional user of raw material is a solution by participating to the VCU trials like actually in France. For Vegetable crops : - DUS : Compulsory DUS made by official bodies and light DUS for CV and NM - Certification : No certification but control of commercialisation - VCU : no VCU For Both : registration of all breeders and suppliers.

7. OTHER COMMENTS

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

In VCU, it's very important to be more efficient by also : ? A European catalogue with official VCU results issued of all states members on common criteria and more data analysis to emphasize the variety x environment x agronomic practices which documents the adaptation and provides key elements for farmers' choice, ? sharing information and data among countries when candidate varieties are under VCU evaluation in various countries under official supervision

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:

- ARVALIS web site - GEVES web site - GNIS web site - NIAB web site - OECD web site - Breeders web sites - European normalization comity (www.cen.eu).

