



EUROPEAN COMMISSION

HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

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**SUMMARY REPORT OF THE  
STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED  
HELD IN BRUSSELS ON 03 DECEMBER 2015  
(Section Seeds and Propagating Material for Agriculture and Horticulture)**

*CIRCABC Link:* <https://circabc.europa.eu/w/browse/dc56723a-04d1-494d-b184-b32f396d4cdc>

**A.01 Presentation of a working document on the temporary experiment providing for certain derogations for the marketing of seed mixtures intended for use as fodder plants.**

The Commission presented a second document on the follow-up of the temporary experiment on fodder plant seed mixtures. On the basis of the input from the Member States it is suggested to add 23 plant species to the general scope of the basic Directive through an implementing act as for these plant species no varieties are nationally listed and not enough seed is available. Seed of these plant species would be marketed as commercial seed. As for some of the plant species testing or a registration process of new varieties is under way it is appropriate to review the situation in four years' time. It should be evaluated to add plant species to the specific list of species subject to obligatory certification as 'basic seed' or 'certified seed' (Commission Directive 2008/124/EC). In addition, Member States may apply to be wholly or partially released from the obligation to apply the Directive in respect of certain species if seed of those species is not normally reproduced or marketed in its territory. The Member States agreed on the way forward. An ad hoc group of six Member States will review the species and the requirements in January 2016.

**A.02 Presentation of a working document on the import requirements of standard vegetable seed from third countries.**

According to Article 37(1) of Council Directive 2002/55/EC, vegetable standard seed harvested in a third country can only be imported into an EU Member State if the seed affords the same assurances and is equivalent to standard seed harvested within the Union. In the meeting of the Standing Committee of 28 September 2015 the Commission requested the Member States to provide their view on the procedure for the establishment of EU equivalence. The Commission presented the possible actions to be taken for granting equivalence. A short discussion followed. The Commission will prepare for discussion in the next Standing Committee a document specifying the exact criteria to be fulfilled by third countries and a questionnaire asking for precise

information concerning the assurances and arrangements as set out in Article 37(1) (d) of Council Directive 2002/55/EC.

**A.03 Exchange of views on the serial number of labels.**

The Commission presented a second document on the way forward. The Member States agree to include the serial number on the official label with the exception of one or two Member States who preferred to take national measures. The Commission explained that the content of the official label is fully harmonised in the EU and thus no national measures can be taken in order to ensure a level playing field for the seed companies. However, as regards the introduction of a serial number to the supplier's label of small EC A packages of fodder plant seed mixtures and vegetable standard seed the majority of the Member States disagreed. The Commission will prepare a draft implementing act on adding the serial number to the list of information required on the official labels. Moreover, on the basis of a suggestion of a Member State presentations on systems to ensure traceability of lots and labels in seed companies could be given.

**A.04 Exchange of views on an Italian request for derogation pursuant to Article 21 of Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants.**

The delegate from Italy presented its request for a derogation on the EU equivalence requirements for third countries to allow importation from Japan of seed of two soybean varieties Sayakomachi and Sayamosume, seed which is not available in the EU. Italy will check whether seed could be imported from the 13 third countries for which EU equivalence is in place for oil and fibre plants. However, it was clarified that these varieties are used to produce a special vegetable product Edamame so that the use is not covered by the scope of the Directive 2002/57/EC on marketing seed of oil and fibre plants. Therefore, the Commission will evaluate whether the vegetable use of these soybean varieties is covered by the EU legislation. If not Italy should delete the varieties from its national list and notify the Commission. The Commission will be in bilateral contact with Italy and inform the Member States in the next Standing Committee meeting.

**A.05 Update on the issue of the sizing standards for seed potatoes.**

Article 10 of Council Directive 2002/56/EC provides size requirements for all categories of seed potatoes, while Article 3(4) contains an empowerment to derogate from specific requirements in the case of seed potatoes produced by micropropagation techniques. The Commission informed about the outcome of a discussion of this issue in the context of an Expert Working Group. A large majority of experts supported such a derogation for seed potatoes produced by micropropagation while keeping the ensuing administrative burden as small as possible. One Member State expressed its opposition to such a decision. The Commission will present a draft Decision to the next Standing Committee meeting.

**A.06 Update on the issue of true potato seeds in view of the possible organisation of a temporary experiment.**

The Commission informed on the outcome of an Expert Working Group on True Potato Seeds (TPS) on 19 November 2015. As a temporary experiment can only cover the marketing of potato tubers derived from TPS, but not the marketing of the actual TPS, the Commission informed on the possible ways forward. A temporary experiment can be adopted for the marketing of certified seed tubers derived from TPS, while requirements for TPS can be covered by a Commission Recommendation. The Netherlands expressed disappointment at this outcome and encouraged the Commission to consider a modernisation of Council Directive 2002/56/EC.

**A.07 Update on EU equivalence requests.**

The Commission gave a short update on the situation of the EU equivalence requests for exportation to the EU. As regards Ukraine the Commission informed that it is currently running its internal processes with a view to prepare a decision on Ukraine's EU equivalence and to move the decision process to the Commission level (co-decision procedures). Concerning Brazil, the Commission is still seeking legal clarifications, in particular on official controls and assurances for exports to the EU. The planned FVO mission will be postponed. Moldova has not yet provided its more detailed legislation, from Turkey there is no further news and Bolivia has recently expressed interest in EU equivalence.

**A.08 Update on OECD Seed Scheme matters.**

The Luxembourgian presidency informed about the upcoming Council Working Party meeting on 16 December 2015 to co-ordinate EU positions for some key issues (acceptance of varieties, revision of OECD Strategic Plan) for the OECD's Technical Working Party meeting end of January 2016 in South-Africa.

**A.09 Information concerning the approaching deadline for the transposition of Directives and the procedure in case of late transposition.**

The Commission reminded Member States of the approaching deadline for the transposition of the following four Directives: Commission Implementing Directive 2013/63/EU of 17 December 2013 amending Annexes I and II to Council Directive 2002/56/EC as regards minimum conditions to be satisfied by seed potatoes and lots of seed potatoes, Commission Implementing Directive 2014/20/EU of 6 February 2014 determining Union grades of basic and certified seed potatoes, and the conditions and designations applicable to such grade, Commission Implementing Directive 2014/21/EU of 6 February 2014 determining minimum conditions and Union grades for pre-basic seed potatoes, and Commission Implementing Directive 2014/105/EU of 4 December 2014 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.

Those four Directives should be transposed by 31 December 2015. At this stage, only few Member States have communicated to the Commission their transposition measures. The next procedural step will be that infringements for late transposition shall be initiated in January 2016 concerning those Member States which have not yet communicated their transposition measures.

**B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision authorising the United Kingdom to prohibit on its territory the marketing of a variety of hemp listed in the Common Catalogue of varieties of agricultural plant species, pursuant to Council Directive 2002/53/EC.**

The Commission presented the proposal. It was highlighted that the proposal will authorise the UK to prohibit the marketing of the hemp variety Finola on its own territory; it will not lead to the deletion of the variety from the common catalogue and marketing will remain possible in the other EU Member States.

**Vote taken:** Favourable opinion.

**B.02 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Directive amending Annex II to Council Directive 2002/57/EC on the marketing of seed of oil and fibre plants.**

The Commission presented the text. A short discussion took place concerning the date of application.

**Vote taken:** Favourable opinion.

**M.01 Poland**

The delegate from Poland proposed to consider adding buckwheat (*Fagopyrum esculentum*) to the list of species in Directive 66/402/EEC on marketing cereal seed. Important amounts of seed are produced in the EU and nationally certified in seven Member States. Several Member States pointed out that addition of this species with the ensuing requirements for variety registration and certification may cause problems for different specific niche type uses, e.g. in organic agriculture or as catch crop. Some Member States have national certification systems in place for this species while other apply the rules on conservation varieties for national listing or have voluntary approaches.

**M.02 Finland**

The delegate from Finland informed about their problems with uniformity of a basic characteristic of the oat variety Avanti. In the official post-control trials it has failed in this respect though in Sweden and Estonia it has been uniform. The reason is most likely environmental. The Member States informed about similar experiences and suggested to send a sample to Sweden for testing. Denmark as an examination office of CPVO for the variety in question informed that it could send a sample to Finland

for testing. Finland will in co-operation with other Member States carry out further testing and exchange information.

### **M.03 Denmark**

The delegate from Denmark raised the issue of a revision of the scientific names of three EU listed grass species in the ISTA species list: *Festuca trachyphylla*, *Festuca filiformis* and *Lolium boucheanum* in order to bring labelling and ISTA certificate in line. The Commission will look into the botanical names listed in the Directive 66/401/EEC on the marketing of fodder plant seed.

### **M.04 Austria**

The delegate from Austria informed about ESCAA meeting taking place 18 to 20 March 2016 in Vienna, Austria.

### **M.05 France**

The delegate from France asked for clarifications on the implementation of the Commission Implementing Directive on the certification of hybrid barley, in particular the requirements for the performance of post-controls according to Annex I, 5a(b)(ii). It was clarified that the parental lines of hybrids (i. e. the basic seed) are produced separately. The female line (CMS female) is produced in strips and the restorer (male line) is produced similar to a conventional variety. Comparable to seed multiplication of other hybrids of cereal species (e. g. rye, triticale) hybrids of barley (C 1 seed) are produced in a mixed production system. The advantage of a mixed production system is the short distance between the restorer (pollinator) and the seed bearing line (CMS female line). In a strip production system crop standards (varietal purity, sterility) can be assessed directly in the field. However, in order to ensure that the components used in the production of the hybrids in a mix comply with the crop standards official post-controls should be carried out. This is essential, since in a mixed cultivation the requirements for the components can hardly be controlled.

### **M.06 Spain**

The delegate from Spain asked for information from other Member States on addressing the issue of contamination of seed of a conventional oil seed rape variety HRCR918 with unauthorised GM oil seed rape. The conventional variety has been in field trials in a number of Member States. The Member States informed that following the notification from United Kingdom measures had been taken to trace, test and destroy the seed lots and plans have been set up to control the fields where seed was sown. The persistence of seed in soil was recognised.