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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 02 JULY 2018**

(Section Seeds and Propagating Material for Agriculture and Horticulture)

CIRCABC Link: <https://circabc.europa.eu/w/browse/b5f3d042-987b-4fff-9e9d-c738d0053fad>

A.01 Presentation of a working document on the requirements for soybean, in particular the threshold for inert matter.

The Commission recalled the request of some Member States to delete the requirement on 0.3 % inert matter for soybean seed referring to the Commission Working Document and presented a worst case scenario simulation on percentage of weight of seed lot not producing a plant on the field when different requirements for soybean seed are applied. These included four options in comparison to the current situation: deleting inert matter threshold of 0.3 %, raising germination rate to 85 %, raising analytical purity to 99 % and excluding broken seed from the inert matter content. A short exchange on the way forward took place. Written comments should be sent by 31 August 2018 to the Commission.

A.02 Presentation of a working document on the update on the use of common names in the Directives 2002/55/EC and 2008/72/EC.

The Commission presented a Working Document outlining a revised version of the species list for Council Directives 2002/55/EC and 2008/72/EC, taking into account comments received. The Commission explained the principles guiding the revision: use Groups only if absolutely necessary, revision based on objective scientific criteria, avoiding conflicts with DUS testing protocols and need to address the issue of varieties falling between Groups. The Commission announced to organise a working group meeting in the fourth quarter of 2018 to specifically address a small number of problematic species (such as *Brassica oleracea*). Member States welcomed the progress made and provided some further technical comments. The Commission asked to provide comments in writing by 31 July 2018.

A.03 Exchange of views on a working document on providing reference material and control of maintenance of varieties.

The Commission recalled the issue on difficulties in some Member States to receive reference material and presented the working document on providing reference material and control of variety maintenance. The Member States welcomed the document and an exchange on the conclusions, objectives of post-controls, sample size, fees, cooperation among the Member States, variety description and CPVO policy on status of material took place. It was decided to set up a Member States expert group and BE, CZ, DE, DK, FI, FR, IT and NL volunteered. All the Member States agreed on the suggestion to develop guidelines on the matter.

A.04 Exchange of views on a request from Denmark to amend the quantitative restrictions for maize seed laid down in Commission Decision 2004/842/EEC (the so called not-yet listed varieties).

The delegate from Denmark presented its request to amend the quantitative restrictions for seed of the so called not-yet listed varieties of maize as to allow larger scale tests and trials on farms. She suggested to allow a quantity for maize which corresponds to a quantity to sow 500 ha instead of the current 10 ha. A number of Member States supported the request and some asked for specific rules for seed multiplication. An exchange took place on justifications for such a change in particular for maize (it is grown more in the north) and the hectare area. Denmark will provide evidence on the area needed.

A.05 Presentation of the CPVO report on DUS testing of onions and shallots.

CPVO presented the report concerning the classification of certain seed-propagated *Allium cepa* varieties as onions or shallots and identified three options to overcome the existing problems. France did not support the options of deleting the subgroups of onion and shallot or on relying on the breeders' self-declaration concerning the type of variety. The Netherlands expressed doubts about the reliability of the statistical test developed by GEVES. The Commission emphasized that any differentiation between onions and shallots in a DUS test has to be based on an objective, reliable, scientific approach and the results show that such a method is currently not available. This was supported by the Member States including France and the Netherlands. The issue will be discussed on a technical level in December 2018 in the CPVO's Vegetable Expert Group meeting.

A.06 Exchange of views on a working document on use of biomolecular-techniques (BMT) in seed certification.

In the 2018 meeting of the Heads of the European Seed Certification Agencies (ESCAA) in Vienna the use of BMT was discussed and it was suggested that the Commission should prepare a working paper to clarify the legal situation and the current international standards as regards the use of BMT in seed certification in assessing varietal identity and purity. The Commission presented the document clarifying the current situation. The Member States welcomed the document and a survey among the Member States on the use of BMT.

A.07 Presentation of an annual report from the United Kingdom on the organisation of a temporary experiment providing for certain derogations for the marketing of populations of the plant species wheat, barley, oats and maize pursuant to Council Directive 66/402/EEC.

The delegate from the United Kingdom presented the first results of the temporary experiment on cereal populations of 2017. Six Member States (DE, DK, FR, UK, IT and NL) are participating. All 34 applications received were authorised with a total of 131 tonnes of seed produced and 75 tonnes of seed marketed across three Member States. Majority of breeders (75%) and producers (83%) were micro-enterprises. Wheat accounts for 82% of all the applications with winter wheat accounting for 50% alone. The other applications were for maize (15%) and barley (3%). The most common technique used to develop the populations was technique (i) of Article 2 of the Decision crossing five or more varieties in all combinations. Exchange took place on the challenge to identify the populations, their stability, number of generations needed, possible fraud, interest for farmers and users and data needs. The Working Group will visit comparative trials in Magdeburg, Germany in July 2018.

A.08 Presentation of an annual report from the Netherlands on the organisation of a temporary experiment under Council Directive 2002/56/EC as regards seed potato tubers derived from true potato seed.

The Netherlands' delegate presented the first annual report of the temporary experiment as regards the marketing of seed potatoes derived from true potato seed. One variety was granted a national plant variety right based on a national DUS protocol. No marketing of any true potato seed has yet taken place in 2017. CPVO informed that the parental lines of this variety were granted Union plant variety rights. The Netherlands and CPVO emphasized that a number of companies are working on breeding schemes in order to improve the uniformity of the seed-propagated potato varieties and that more varieties can be expected in the next years. The Netherlands will provide the annual report in writing by 15 September 2018.

A.09 Update on the approach to seed fraud.

The Commission recalled that the contact list of Seed Fraud Network and the template for exchanges between the Member State have been put on Circa and shared with contact points. In addition, the Commission informed about potential case in relation to hemp seed and fodder crop seed imports. In the OECD Seed Schemes meeting International Seed Federation had informed about illegal seed practices.

A.10 Update on EU equivalence requests.

The Commission provided a summary of the state-of-play of the existing equivalence requests: Moldova, Brazil, Ukraine, Bolivia, India, Senegal and Jordan. The analysis of the relevant Indian legislation will start during the third quarter of 2018 with the help of Member States' experts. The Commission gave a preliminary presentation of the results of an audit carried out in Bolivia. A number of issues which need to be addressed before equivalence can be granted were identified, in particular with regard to the relationship between country of registration of a variety and country of multiplication (OECD Seed Scheme rules), some standards for seed producing crops and post-control tests. The Bolivian competent authorities accepted all the observations and expressed their commitment to address the remaining shortcomings identified during the audit by an action plan. There is a plan to introduce specific

standards for the production and certification of seed intended for export to the EU, in order to provide full equivalency and this will be followed-up by the Commission.

A.11 Follow-up of OECD Seed Scheme matters.

Postponed.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision amending Implementing Decision 2014/150/EU on the organisation of a temporary experiment providing for certain derogations for the marketing of populations of the plant species wheat, barley, oats and maize pursuant to Council Directive 66/402/EEC.

The Commission presented the text and highlighted the change to the previous version on allowing new Member States to participate as the deadline is now extended up to the maximum of seven years.

Vote taken: Favourable opinion.

M.01 AOB

The Commission recalled its note on Brexit - 'Withdrawal of the United Kingdom and EU rules in the field of marketing of seed and other plant propagating material' and that any references to the United Kingdom in the Common Catalogues of varieties of agricultural and vegetable species will be deleted. This will include the persons responsible for the maintenance of varieties located in the United Kingdom and any variety in the catalogues which is not maintained in an EU-27-Member State will be deleted too. A more detailed planning of the updates of the catalogues will follow.

The Commission gave a presentation on the main new plant reproductive materials provisions of Regulation (EU) 2018/848 on Organic Production, in particular organic heterogeneous material (Article 13). The Commission emphasized the importance to establish a consensus on the planned delegated act on heterogeneous material before scrutiny from the European Parliament and Council. The Commission will establish a seed expert group within the context of the organic production expert group. The Commission committed to establish a temporary experiment on a variety testing regime for organic varieties and clarified that such varieties would have to conform to the normal standards unless derogations are tested to seek improved alternatives in the experiment. The Commission underlined that neither of the planned acts will contradict existing rules and that they establish a clearly demarcated space for organic propagating material by taking into account specific needs of organic production.