

## **1. INTRODUCTION**

### **1.1 What is the name of your organisation?**

Association générale des producteurs de maïs (France)

### **1.2 What stakeholder group does your organisation belong to?**

User of S&PM

#### **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

### **2.2 Have certain problems been overlooked?**

Yes

#### **2.2.1 Please state which one(s)**

The objective of food security is not expressed in the general objective. The European agriculture has a key role to provide sufficient and safe food to European citizens. In order to achieve this goal, farmers need to use varieties that offer a sustainable productivity and need high quality seed's unit (that can be followed from farm to fork). The objective of competitiveness of the European agricultural production is also missing. This objective is essential while grower face a world market with imports coming from countries that have fewer constraints. The seed growers are missing in the analysis paper: they will be affected by the review of the legislation.

### **2.3 Are certain problems underestimated or overly emphasized?**

Overestimated

#### **2.3.1 Please indicate the problems that have not been estimated rightly**

The cost reduction of the State expenses is overly emphasized considering the impact of the seed legislation on sanitary quality and food security. The registration/ certification costs are overestimated. In the French corn seed branch, these costs are evaluated at 1 % of the value of the sector. This lower cost is due to the French system with VCU tests and certification made under supervision. The paper presents the following analysis: "The relative inflexibility of the current variety registration system does not help innovation ensuring access to the market for new varieties giving a higher yield on a same land surface with less need for irrigation, fertilisers or pesticides." We don't agree with this sentence. The breeders have been working on the environmental performance of varieties for a long time in their breeding programs. The French system of VCU works on measuring yield of corn varieties in stress conditions as water deficit. The actual system has been able to offer a large number of corn varieties as the UE catalogue has more than 4 300 varieties registered. In average and over a decade, the French system of registration with "full" VCU has provided 100 new varieties per year. One third of 30 most sold corn varieties have less than 3 years (FNPSMS study). This shows that growers have an interest in new varieties, because these varieties can answer their objective to produce in a more sustainable way. Growers value innovation. The harmonization of European legislation as well as its simplification should be pursued, but the basis of legislation (registration system and certification) should be kept.

### **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?

No

#### 3.2 Have certain objectives been overlooked?

Yes

##### 3.2.1 Please state which one(s)

The objectives of food security and competitiveness of the European agriculture are missing.

#### 3.3 Are certain objectives inappropriate?

Yes

##### 3.3.1 Please state which one(s)

The objective: improve biodiversity should be explained: Concerning the number of corn varieties, the offer is already large: The study of the market share of 30 most sold varieties in France since 1990 shows the continuous reduction of their market share with greater segmentation and large number of new varieties on market each year. In 1992, the 30 most sold varieties represented 63% the total market, in 2000 they were 41% and in 2010: 27%. Concerning the cultivated biodiversity (number of species cultivated): the species cultivated meets market expectations, which meets the industrial needs, and citizen expectations for food. For minor crops, EU should propose a financial system (partnership public and private sectors) to support the registration of new varieties as well as research. The conservation of genetic resources is a very important goal that is fulfilled by "bureau des ressources genetiques" in France. The genetic diversity has not been reduced by genetic improvement as shown in the study of Le Clerc, F Bazante, C Baril, J Guiard, D Zhang (Assessing temporal changes in genetic diversity of maize varieties using microsatellite markers, published in theoretical and applied genetic en 2005). The conclusion of the study shows that the genetic diversity has been reduced by about 10% in the maize cultivars bred before 1976 compared to those bred after 1985. This demonstration shows the need to clarify the definition of biodiversity written in the analysis paper. Some of the aspects described above are beyond the framework of seed law. The objective: "in this way to promote plant health and support agriculture, horticulture and forestry" is not clear at all.

#### 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**

1

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

3

**Empower users by informing them about seed and propagating material**

2

**Contribute to improve biodiversity, sustainability and favour innovation**

**Promote plant health and support agriculture, horticulture and forestry**

### **3.6 Other suggestions and remarks**

We didn't rank "Contribute to improve biodiversity, sustainability and favour innovation" because these three points are quite different. Besides, the productivity is missing. The sentence modified "contribute to improve productivity, sustainability and favour innovation" would have been rate 1. We didn't rank "promote plant health and support agriculture, horticulture and forestry" because this sentence is not clear at all.

## **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)**

The scenario 5 is not clear enough.

### **4.3 Are certain scenarios unrealistic?**

Yes

#### **4.3.1 Please state which one(s) and why**

The scenarios 3 and 4 are unrealistic to meet the some of the key objectives: inform growers, encourages innovation, promote market transparency.

### **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**

## **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)**

- VCU with no cultivation criteria will lead to a decrease of agriculture productivity and competitiveness. - The system of supplier's label will cause an increase of state controls with a cost that hasn't been evaluated.

### **5.3 Are certain impacts underestimated or overly emphasized?**

Underestimated

#### **5.3.1 Please provide evidence or data to support your assessment:**

The impact analysis of scenario 3 and 4 is quite "oriented" and not fair. The loose of mandatory certification will have an impact on sanitary quality that is not taken into account.

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

5 = not proportional at all

### **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**  
Rather negative

**Scenario 2**  
Fairly beneficial

**Scenario 3**  
Very negative

**Scenario 4**  
Very negative

**Scenario 5**  
Fairly beneficial

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

Scenario 1: the cost reduction is the only fulfilled goal. The objective of harmonisation is not attained. Scenario 2: the goal of quantity, quality of seeds is fulfilled with some harmonisation. Scenario 3 and Scenario 4: These scenarios are not appropriate to fulfil most of the objectives: - Transparency of market and trustful information for growers can not be achieved with optional VCU as with the two lists system of registration: the grower will be confused in his choice. - Fair competition: varieties that don't meet expectations of growers can be launched on the market with optional VCU. Seed companies which can invest in marketing will have a real advantage on their competitors. - High quality of seeds guaranteed by the actual certification system (with germination tests, sanitary quality, and identity) could be lost with the supplier label. The sanitary quality is essential as seeds are the start of agricultural production. - Direct breeding activities in order to propose better varieties with a sustainable productivity can not be fulfilled when the VCU is optional Scenario 5: answers the goal of harmonization. This scenario needs more explanation about 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?**

We want to propose the following scenario: Registration: - DHS mandatory, harmonized at UE level, official. - Two possibilities for the tests : o The DHS tests can be managed and conducted by State with a rapid communication of the results to CPVO for European catalogue update. o The DHS tests can be managed and conducted by CPVO on their accredited stations with sufficient collection of varieties. - VAT, o Mandatory o Under official supervision o Basic harmonized and common criteria which will be taken into account to take the decision of registration (yield, maturity group, lodging resistance, feed value for silage). The methods should be harmonized: there can not be different ways to calculate lodging of corn. ? This is the only solution to give reliable information to grower. ? This is a way to improve common internal market. o Complementary criteria can be tested as the adaptation of varieties to European regions. These tests are informative. For example, France wants to include some tests on the water deficit resistance in the VCU. ? This is a way to direct breeding activities in order to have varieties with a sustainable productivity adapted to regions. o Two ways to conduct these tests : ? The tests are managed by national authorities (or under official supervision) with rapid communication to CPVO for European catalogue update. ? The tests can be managed by CPVO on their accredited stations The centralisation by CPVO for a registration based on agro climatic areas should be a long term objective. - For varieties threatened by genetic erosion: European Union should manage the "conservation" of these varieties and their commercialisation for

specific use as settled in the actual system which proposes a registration with light DUS and no VCU. - Proposed name of varieties conducted by CPVO. Certification : - Mandatory with common UE criteria (germination rate, sanitary quality, identity of varieties) in link with international systems. - Under official supervision.

### **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:**

Scenario 1: the cost reduction is the only fulfilled goal. The objective of harmonisation is not attained. Scenario 2: the goal of quantity, quality of seeds is fulfilled with some harmonisation. Scenario 3 and Scenario 4: These scenarios are not appropriate to fulfil most of the objectives: - Transparency of market and trustful information for growers can not be achieved with optional VCU as with the two lists system of registration: the grower will be confused in his choice. - Fair competition: varieties that don't meet expectations of growers can be launched on the market with optional VCU. Seed companies which can invest in marketing will have a real advantage on their competitors. - High quality of seeds guaranteed by the actual certification system (with germination tests, sanitary quality, and identity) could be lost with the supplier label. The sanitary quality is essential as seeds are the start of agricultural production. - Direct breeding activities in order to propose better varieties with a sustainable productivity can not be fulfilled when the VCU is optional Scenario 5: answers the goal of harmonization. This scenario needs more explanation about VCU criteria.

## **7. OTHER COMMENTS**

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

There is a real need for harmonization for a fair market for all growers. But the risk of this review is to harmonize "at the lowest level" which means that we will have same registration system but very low expectative on the result of this system in terms of seed quality and varieties performance. We need a strong nad harmonized system to face the challenges of tomorrow (productivity, sustainability).

### **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:**

