

1. INTRODUCTION

1.1 What is the name of your organisation?

Danish Plant Directorate

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?

Yes

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?

Rightly estimated

2.3.1 Please indicate the problems that have not been estimated rightly

2.4 Other suggestions or remarks

No 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?

Yes

3.2.1 Please state which one(s)

Yield is an important sustainable element of VCU, also in the future.

3.3 Are certain objectives inappropriate?

No

3.3.1 Please state which one(s)

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

5

Promote plant health and support agriculture, horticulture and forestry

4

3.6 Other suggestions and remarks

High quality means also the genetics of the variety which is assessed in a sustainable VCU testing under the headlines of yield, quality and resistance to diseases.

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)

Careful and moderate modifications, as mentioned in the review of the seed and propagating evaluation report, including extended delegation of responsibility to producers under official supervision to a wider range of activities and introduction of mandatory fees in all cases, to ensure a level playing field within EU for companies and authorities.

4.3 Are certain scenarios unrealistic?

Yes

4.3.1 Please state which one(s) and why

The scenarios 3 and 4 seems unrealistic, as they do not support the production of high quality products, and the wide business interest in EU, that creates value and food security for EU. We find the VCU appropriate also in the future. The scenarios also put an extra administrative burden for minor crops, if all species shall meet a minimum set of requirements. The mentioning in the impact analysis that "official authorities maintain a credible system of general monitoring" in relation to quality injuring pests, to compensate negative effects of a more flexible system for approval of new varieties, seems not relevant to refer to, since systems of official general monitoring only exist for quarantine organisms.

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

The scenarios proposed do not take proportionate account of the evaluation result, concluding that only certain modifications need to be made, and a comprehensive revision is not needed. The scenarios represents seemingly not comparable situations, giving rise to difficulties commenting the proposals in a systematically way. A more graduate approach, replicating some

elements and building more and more elements on top in the different scenarios, would have made it easier to comment in a transparent way.

5. ASSESSMENT OF OPTIONS

5.1 Are the impacts correctly analysed in the context of S&PM marketing?

Yes

5.2 Have certain impacts been overlooked?

Yes

5.2.1 Please state which one(s)

Food security in respect of agricultural crops.

5.3 Are certain impacts underestimated or overly emphasized?

Underestimated

5.3.1 Please provide evidence or data to support your assessment:

The positive impacts on administrative burden and cost for authorities and private operators, as well as the effect of centralisation have been overestimated, and the impact of transferred cost of registration and certification etc. to the private sector stakeholders on competitiveness has been underestimated (not possible to mark both "Underestimated" and "Overestimated").

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

Rather negative

Scenario 4

Rather 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:

No. remarks.

6. ASSESSMENT OF SCENARIOS

6.1 Which scenario or combination of scenarios would best meet the objectives of the review of the legislation?

Scenario with new features

6.1.1 What are your views with regards to combining elements from the various scenarios into a new scenario?

6.1.1 Please explain the new scenario in terms of key features

We find a modified scenario 2 appropriate to achieve the objectives of the revision. The elements of a revised scenario could be - A nuanced EU legislation, which still meets the individual needs of the diverse product areas - Full transfer of cost to the private sector stakeholders in the EU to ensure a level playing field - National official DUS and VCU, with possibility of participatory testing with the industry on VCU. No positive business case has been presented to justify centralisation. - Mandatory CPVO accreditation of testing station to ensure harmonisation of testing - No extension of variety listing requirement to other areas than today. And guarding the system of provenances of forestry basic material as today. - A level of quality requirements and voluntary or mandatory control requirements of the multiplication systems (EPPO/OECD certification schemes) as today, to secure plant material of consistently high quality in the EU, with the possibility of extended delegation of responsibility to the producers under official supervision to a wider range of activities - Official controls in line with the provisions of Regulation 882/2004 to ensure harmonised control in the EU - Registering producers/suppliers marketing material intended for professional use - A simplified scheme for conservation varieties and landraces, and extend it to niche production for other specific and innovative use in smaller scale.

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:

The expected achievements are for some objectives over- or underestimated for the different scenarios as regards i.e. functioning of the internal market, biodiversity, and harmonisation. The scenario 5 on centralisation is not achieving the objective of harmonisation, since centralisation does not necessarily cause harmonisation. The objective of harmonisation would possible be achieved better, if there was a general requirement for CPVO accreditation of DUS testing stations, in combination with a requirement that official controls should be in line with the provisions of the control regulation 882/2004.

7. OTHER COMMENTS

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

Remarks to 3.4: We find this inappropriate, due to the importance of VCU – and the CPVO novelty requirement would restrict the use of older material, as well as several maintainers of the same non protected variety. Remarks to 5.1: Yes: Other areas. No: Agricultural area.

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:

