

## **1. INTRODUCTION**

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

Pascal COQUIN

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

Consumer

#### **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**

16, rue Albert Camus 49800 Trélazé FRANCE

## **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)**

I am far to be sure that the increase of food need has been correctly integrated. The genetic progress driven by a legal and precise frame is a way to reach as far as possible the food requirements in Europe as well as in other countries where agronomic and organisational conditions are lower than in Europe.

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

Overestimated

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

In France, the costs of implementation of the regulation is lower than the 3% as indicated. If some countries would like to transfer the cost from the public Administration to the private operators, such operators won't see no changes. And even more because an adaptation time would be nrequired to implement the regulation in their organisations.

#### **2.4 Other suggestions or remarks**

I am not convinced by the lack of efficiency of the current implementation system. If it was not efficient, how could we explain that France is the first European country producing and providing well known seeds to EU and non EU countries. France is then the second exporter of seeds behind USA which has a quite larger seed multiplication area.

## **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 issue of the innovation is overlooked. It shall not be placed at the third place after biodiversity and sustainability. Indeed, innovation is the key issue that enables to reach the objectives of sustainability. The general objectives address the question of the information to the users. This information shall be qualified as well as reliable, impartial, official and available for the whole chain of users (from the farmers to the consumers).

### **3.3 Are certain objectives inappropriate?**

Yes

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

The specific objective related to the costs and the administrative burden is not well defined. The objective is not to reduce these costs but to optimize, adapt and proportionate as regard the main objectives dealing with food and sanitary security, environmental risks, agricultural and forestry production sustainability, biodiversity protection

### **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**

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

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

**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**

As regard the question 3.4, it is not acceptable to consider a variety automatically registered as soon as it is protected by a PBR. Indeed, first, the registration is a public authorisation for marketing through a compulsory regime whereas the PBR is a private voluntary right. Second, PBR examination is only based on DUS testing and then, for agricultural crops, the proposed system would conduct to losing benefit of VCU evaluation. This benefit is currently useful for the whole food supply chain.

## **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)**

Miss a scenario that enables the improvement of the current system through technical and financial optimisation (and not reduction) to integrate to the objectives of the current legislation (innovation, productivity, quality and regularity of the production) the implementation of the environmental issues. This can be done through the official environmental evaluation of the varieties and their sustainable use.

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

Yes

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

Scenario 1 : difficulty to reach an European harmonized frame Scenario 2 : impossibility for each breeding or pending company to have an exhaustive varieties collection reference for the internal DUS tests ; so, there will be unfair competition. Scenario 3 : lack of independent data for the seed users, unfair competition between breeders (the winners will be the richer ! is this aim looked for ?) Scenario 4 : no traceability for the seed user, impossibility for each breeding or pending company to have an exhaustive varieties collection reference for the internal DUS tests Scenario 5 : competition between Examination Offices, no regional parameters taken in account by the CPVO administration

**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 issue of innovation shall not be mistaken with the notion of creativity. The increase of the varietal flow through the increase in the number of varieties available for the users does not guarantee the actual diversity of the offer. Indeed this offer shall be officially characterized in conformity with the objective of the users' protection.

**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)**

- Weakening of the suppliers, operators position on national, EU and international levels. - Impact on food security, - Impact on environmental aspects as regard sustainable genetic resistance against diseases and pests, - Agronomical impact and impact of the evolutions on the production systems.

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

Underestimated

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

The loose of mandatory certification for agricultural crops could lead to the reinforcement of phytosanitary and sanitary (at human level) problems.

**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**

Fairly beneficial

**Scenario 2**

Fairly beneficial

**Scenario 3**

Very negative

**Scenario 4**

Very negative

### **Scenario 5**

Very negative

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

To choose between the different proposed scenarii is not the right way. A mix of the different scenario would be better.

## **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?**

DUS : scenario 1 is chosen but with harmonised trials on the CPVO protocols, varieties reference collection through databases VCU : scenario 1 is chosen but with costs shared by the different operators (public AND private which are necessarily interested), too with VCU tests conducted by private operators under official frame (as proposed by scenario 2)

#### **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:**

On the basis of the previous answers as regard the missing or misdefined objectives (innovation, productivity, quality, regularity of the productions) and the overlooked scenario based on the current technically and financially optimised (current objectives completed by the environmental issues) the comparison of the scenarios in the light of the objectives is hedged. By the way, on the basis of the analysis of the Commission, scenario 4 appears to be the most positive whereas on the basis of our arguments, the scenario 4 does not best enable to achieve the objectives as we propose them.

## **7. OTHER COMMENTS**

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

### **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:**

