

1. INTRODUCTION

1.1 What is the name of your organisation?

Nederlandse Aardappel Organisatie (NAO: Dutch association of potato merchants)

1.2 What stakeholder group does your organisation belong to?

Supplier of S&PM; 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?

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?

Overestimated

2.3.1 Please indicate the problems that have not been estimated rightly

Which ones: - Need for more simplicity regulation; - No harmonized costs and responsibility sharing (costs producer vs member state) in EU; - Non-harmonised national requirements for certification.

2.4 Other suggestions or remarks

Need for more simplicity regulation: We believe that making one Legislation for the Marketing of S&PM out of the existing 12 Directives should not be a target on his own. In a new legislation the differences between sectors c.q. products should be respected. So in our opinion by introducing annexes, there should be a possibility to have different regulations for every sector c.q. product (e.g. an annex for seed potatoes). The horizontal part of the new directive can contain common issues like definitions. For example an common definition for 'marketing'. We believe that the definition for marketing should lead to a reduction of FSS. We believe that reducing FSS and stimulation of the use of certified, healthy, seed potatoes will have a positive effect on sustainability (reducing use chemicals). No harmonized costs and responsibility sharing (costs producer vs member state) in EU: In The Netherlands the producers, breeders and merchants already pay themselves for VCU, DUS and certification. We think it is the responsibility of each Member State to organise his own framework for costs and responsibility sharing. There should be no EU-framework for costs and responsibility sharing. Therefore the cost structures in member states are to different. Non-harmonised national requirements for certification: The NAO is favour of the possibility for Member States to have higher quality certification standards for seed potatoes on a national level. This opinion is based on the different climate circumstances within the EU. Member states which have the climatically possibility to have higher national norms, should have the possibility to do so. Higher national norms will have a positive impact on the quality of seed potato production, because it will reduce the outbreak of diseases. Furthermore, we think that is practically impossible to regulate on an EU-level all certification details. We don't agree with the part of scenario 5, which states that possible stricter national requirements for

certification will be subject to EU approval. The Member States should have the possibility to decide autonomously. Especially for a country like The Netherlands with a strong export position on markets outside Europe, it is important to have the possibility to have a higher national standard. This is also in interest of the EU. The more seed potatoes can be exported to third countries, the more possibilities for a profitable seed potato sector, including the seed potato growers.

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)

We want to emphasize the objective of competitiveness of our export to third countries. Also the acceptance of third countries in respect to the review of the Legislation on the marketing of seed and propagation material should be taken in consideration.

3.3 Are certain objectives inappropriate?

Yes

3.3.1 Please state which one(s)

We think 'empower users by informing them about seed and propagation material' should nowadays not be a objective of the Legislation on the marketing of S&PM. European farmers are well skilled and educated professionals, who are able to collect the necessary data by themselves. The market will force suppliers to give reliable data. 'Improve biodiversity and sustainability' are not the main objectives of the Legislation on the marketing of S&PM. So should sustainability not taken into VCU. We even believe that VCU should be limited to 'to a few criteria and basic thresholds, because the market will decide on the VCU-value of varieties. The market for potatoes and potato products has changed dramatically in recent years with niche opportunities being developed often for varieties that wouldn't fit criteria historically used for VCU-testing. Today the commercial market and consumer preference place determines whether or not a variety has economic value and is therefore cultivated.

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?

Yes

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

5

Contribute to improve biodiversity, sustainability and favour innovation

4

Promote plant health and support agriculture, horticulture and forestry

2

3.6 Other suggestions and remarks

4. OPTIONS FOR CHANGE

4.1 Are the scenarios defined correctly in the context of S&PM marketing?

Yes

4.2 Have certain scenarios been overlooked?

No

4.2.1 Please state which one(s)

4.3 Are certain scenarios unrealistic?

Yes

4.3.1 Please state which one(s) and why

We think scenario 4 is for seed potatoes unrealistic. In this scenario only VCU- and DUS-tested propagation material have the right to be certified. Propagation material which is not tested, can't be certified. We believe all seed potatoes should be certified, because this will reduce plant health risks.

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?

Yes

5.2 Have certain impacts been overlooked?

Yes

5.2.1 Please state which one(s)

Competitiveness in Third Countries (non-EU members). Acceptance of review of the Legislation of the marketing of S&PM by Third Countries

5.3 Are certain impacts underestimated or overly emphasized?

Overestimated

5.3.1 Please provide evidence or data to support your assessment:

See our answer on question 6 (concerning scenario 2)

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

Not relevant

Scenario 2

Very beneficial

Scenario 3

Rather 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:

no answer

6. ASSESSMENT OF SCENARIOS

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

Scenario 2

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

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 level of expected achievements of our most favourite scenario (2, including our remarks in question 4.4) is to negative (page 28): - On page 18 is written that scenario 2 doesn't have a negative impact on the health and quality of propagation material. But in the table on page 28 it is said that scenario 2 has a negative impact. We presume there will be no negative impact; - The table on page 28 mentions a negative impact on the information for users. We disagree. Farmers are nowadays able to make their own decisions; - The table on page 28 mentions a negative impact on sustainability and biodiversity. We believe the market will decide on the sustainability of varieties; - The table on page 28 mentions a negative influence on innovation because the industry it self has to pay for the work and associated costs of variety registration. In The Netherlands the seed potato industry already has to pay this costs. So far the Dutch seed potato industry keeps on introducing new varieties.

7. OTHER COMMENTS

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

Scenario 3 will not be beneficial for the Dutch seed potato industry because in this scenario there only will be certification when a product is exported to a third country. Certification is necessary also for trade within Europe. Reasons: - Better for plant health (less spreading diseases); - Higher productions with certified seed potatoes; - Certification as a mechanism to reduce FSS and collection fees for the breeders. Positive element in scenario 3 is that there will be no VCU-testing anymore. Scenario 4 not wishfull because of the possibility for the marketing of uncertified seed potatoes. This will have a negative impact on Plant Health. Our answer at question 2 (here above) for scenario 5 only reflects our preference for Certification part of this scenario. Positive in this scenario is the possibility for merchants to carry out themselves the control on compliance on quality norms in the EU- and national regulations. Of course this should

be done under supervision of the national authority. On the other hand it should be possible for companies to ask national authorities to carry the quality controls. We are happy with the possibility for member states to have stricter national quality norms. But we don't agree that these national norms only are possible when the EU this approves.

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:

