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Health and Food Safety Directorate General

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Standing Committee on Plants, Animals, Food and Feed
Section *Seeds and Propagating Material for Agriculture and Horticulture*
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SUMMARY REPORT

A.01 Presentation by the Commission of a report on the implementation of Regulation (EC) N° 217/2006 as regards the authorisation of Member States to permit temporarily the marketing of seed not satisfying the requirements in respect of the minimum germination.

The Commission presented an overview of the authorisations granted for 2024 to permit temporarily the marketing of seed not satisfying the requirements in respect of the minimum germination. The data show a high number of authorisations and species compared to previous years: a total of 70 authorisations by 15 Member States for 19 different species (in majority oats, barley and field bean). Of the total of 171232 tons of seed that were requested only some 4.6 % could be covered by offers made by other Member States. It was highlighted that the requests should not be too specific.

A.02 Presentation by the Commission of a report on the implementation of Commission Decision 2004/842/EC on the placing on the market of seed of not yet listed varieties.

The Commission presented an overview of the authorisations granted for 2023 for seed of not yet listed varieties to be placed on the market for tests and trials on farms. 18 Member States authorised seed of 17 agricultural species (mainly maize) for a total amount of almost 38000 tonnes. 15 Member States authorised seed of almost all EU regulated vegetable species (mainly tomato, lettuce and chili/pepper). A short discussion took place on the issue to what degree the varieties will be finally registered and the Commission will follow-up.

A.03 Presentation of the outcome of the working group meeting on the temporary experiment on risk based field inspection.

The delegate from France presented the results collected by a questionnaire for the years 2022-2023. Of the 11 participating Member States 9 are active and are still in different stages of implementing the risk-based approach varying from planning and setting up a system to applying a risk-based approach for field inspection under official supervision. A Working Group meeting took place on 14 October where the French approach was discussed. It was concluded that there is a need to harmonise and to look

for a simple calculation method (formula) for the assessment of the risks with a range of weighting factors that Member States could apply to their specific situation. It was agreed that further Working Group meetings will be organised in the beginning of 2025 to achieve this objective. Moreover, it was recalled that there are only three years left to finish the temporary experiment.

A.04 Exchange of views on the application of EU hemp seed legislation.

The Commission recalled the current hemp seed legislation and presented the outcome of the survey to collect information on the practical application of the EU legislation for hemp seed. All Member States answered and 13 Member States have hemp breeders, 119 varieties are listed in the Member States and the THC maximum threshold (0.3 %) laid down in the CAP legislation is mostly applied as a requirement for registration. As regards the uses of seed mostly varieties for fibre, food/feed and oil are bred but breeding is also taking place for CBD or THC extraction purposes and biomass production. Hemp seed is being produced in 15 Member States (141 000 tn/year on average in the last 5 years). There are a number of questions that need to be addressed in relation to the scope of the Directive 2002/57/EC on marketing seed of oil and fibre plants, set-up of a THC maximum threshold for registration, production and marketing of plantlets, feminised seed and production of seed for food and medical uses of the hemp. The importance of a coordinated approach with the health and drug prevention services was highlighted. The Commission is about to finalise its legal analysis and will present the outcome in the next meeting.

A.05 Update on the outcome of the survey on official DUS testing.

The Commission recalled that only official variety examinations carried out by the competent authority are allowed for variety registration purpose. In order to learn about the practices in the Member States a survey was carried out. Three Member States informed that they accept results of breeders' trails for certain species. The Commission informed that it has conducted meetings and sent official letters to the concerned Member States to bring their processes in line with the EU legislation. One Member States informed that they no longer apply that process and will finalise the necessary amendment of their legislation in 2025.

A.06 Options for the certification of plant reproductive material of potato varieties propagated by botanical seed ("true potato seed").

The Commission recalled that the experiment on true potato seed (TPS) reached its maximum duration of seven years by 31 December 2023 and no possibility was found to start a new temporary experiment. Meanwhile CPVO has approved a new protocol for DUS examination for registration of varieties of TPS. It is now being explored whether there is a need for certifying seed potatoes (tubers) derived from TPS, and if relevant whether to initiate the work for identifying relevant requirements. The Member States were asked about their experience regarding potato varieties propagated by TPS, including whether there have been applications for registration of such varieties and if so, about their experience from the DUS examination and whether there is knowledge about marketing of TPS or plantlets derived from such seed. A discussion took place. The Member States were asked to send written comments by 13 December 2024. A small working group with interested Member States will discuss a way forward.

A.07 Exchange of views on variety registration and seed certification of edamame varieties of soya (*Glycine max* (L.) Merr.).

The Commission informed about a new request by the seed sector to set certification requirements for edamame varieties of soja bean and recalled the earlier exchange with the Member States several years back. A discussion took place and Member States were requested to send written comments by 13 December 2024.

A.08 Stocktaking of implementation of Delegated Regulation (EU) 2021/1189 on organic heterogeneous material and Commission Implementing Directives (EU) 2022/1647 and 2002/1648 on organic varieties.

The Commission is interested to learn about the implementation of the EU legislation on organic varieties in relation to the application of the definition of organic variety under Article 3(19) of the Organic Regulation, any experience from the DUS examination of organic varieties and whether VCU examination is carried out under organic conditions, and which are the concerned species. Only few organic varieties have been registered. On organic heterogeneous material it was noted that only 32 notifications have been made since 2022. An exchange took place on issues encountered and it was decided that a dedicated working group meeting will be organised in the beginning of 2025 to discuss any issues in relation to organic varieties and organic heterogeneous material.

A.09 Update on the unique EU plant variety IT system and new common catalogue database.

The Commission gave a presentation on the results of a survey in relation to the EU Plant Variety Portal. In 2025 it will include access to fruit varieties (Frumatis), the data dictionary will be updated, a machine-to-machine pilot project will start in September 2025 and the missing national IDs should be shared. Moreover, the Member States agreed on the notification of varieties to the OECD Seed Schemes variety database via the EUPVP. A meeting with the OECD Seed Schemes secretariat has taken place with a positive outcome and a number of technical issues need to be solved as well as an Administrative Agreement set up. A separate dedicated IT expert meeting will be organised to discuss technical IT issues.

A.10 Follow-up and state of play of EU equivalence requests.

The Commission presented the latest information on the equivalence requests. As regards the applications received from Ukraine in 2022 (oil and fibre plants, beet) and in 2023 (soybean) and from Moldova in 2022 (fodder plants) the proposal for a Council and Parliament Decision to grant equivalence for these additional species is currently pending in the European Parliament. The Commission received in 2023 a new request from Senegal for maize, rice and sorghum. The Commission also informed that the 2019 audit regarding the equivalence request from India has been closed satisfactorily. Concerning UK (seed potatoes) an audit has been carried out but the report is not yet available.

A.11 Follow-up of OECD Seed Scheme technical issues.

The Commission listed several technical issues that will be discussed in the upcoming OECD Seed Schemes Technical Working Group end of January 2025. They concern e.g. review of the expression of varietal purity standards in percentage for species

planted in rows, digitalisation, development of monitoring tools and rules on OECD certificate. A meeting of the BMT Advisory Group has taken place and it will be recommended to keep an internal list of BMTs under development. The Polish delegate reminded of the proposal to increase the member countries contributions to the budget of the OECD Seed Schemes and it is under consultation in the Delegates Portal.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Directive amending Directives 2003/90/EC and 2003/91/EC as regards the protocols for the examination of certain varieties of agricultural plant species and vegetable species.

The Commission presented the draft for vote and the deadline for transposition was changed to 31 May 2025.

Vote taken: Favourable opinion.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Directive amending Council Directives 2002/55/EC and 2002/57/EC, and Commission Directive 93/61/EEC as regards the listing of pests of plants on seeds and other plant reproductive material.

The Commission presented the draft and the deadline for transposition was changed to 31 May 2025.

Vote taken: Favourable opinion.