



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Crisis management in food, animals and plants

## WORKING GROUP

### ON PLANTS, ANIMALS, FOOD AND FEED

#### *Section Seed and Propagating Material for Agriculture and Horticulture*

9 DECEMBER 2021

### SUMMARY

#### SECTION A Information and/or discussion

##### **1. Update on the revision of the plant and forest reproductive material legislation.**

The Commission gave an update on the revision of the legislation on plant reproductive material (PRM) and the next steps. The Member States will be consulted at several stages to give input on the revision. The Member States welcomed the information and in general supported the initiative and asked for clarifications in relation to the process, forest reproductive material (separate legal text), genetic resources (conservation varieties), exchange in kind between farmers (clear rules) and development of legal instruments per crop groups (e.g. agricultural crops). Several Member States informed the Commission that they are willing to contribute to the revision. Some Member States were in favour of option 1 and 2 or a mixture of these two.

##### **2. Official Controls (Regulation): Commission's further analysis**

The Commission presented three potential options on official controls: rules in PRM legislation, tailor-made approach under Official Control Regulation (OCR) and full harmonisation under OCR. The Member States welcomed the presentation. Some Member States raised concerns regarding an increased administrative burden, in particular in relation to delegation of official controls tasks and ISTA accreditation. The Commission clarified that it will analyse the rules on delegation of tasks in the OCR and that ISTA accreditation will continue to be applied. One Member State was in favour of including official control rules in PRM legislation while other Member States could support a tailor-made approach under OCR. The Commission asked the Member States to send written comments by the end of the year, in particular on possible concerns in relation to OCR.

##### **3. Exchange of views on a Commission working document on organic varieties**

The Commission presented the updated drafts for agriculture and vegetable species and the four additional proposals for agricultural species. Several Member States welcomed the

improved drafts and made comments on the provision of organic conditions for variety testing, date of application, set-up of the temporary derogation, relationship between organic heterogeneous material (no variety nor mixture of varieties) and organic variety and fees for testing. The Commission clarified once more that on the basis of adapted DUS protocols no plant variety rights can be granted. The Commission asked to provide written comments by the end of the year and confirmed that the next expert group will take place mid/end of January 2022.

#### **4. Update on the EU Plant Variety Portal and results of the survey on IT architecture**

The Commission presented an update on the EU Plant Variety Portal and the results of the recent survey on the future IT architecture, focusing in particular on the provision of data to the portal in form of machine-to-machine or human-to-machine technologies. The survey also addressed topics such as (i) the variety description, (ii) the denomination history and (iii) the project timeline. The Member States welcomed the update.

#### **5. Update on EU equivalence**

The Commission reminded that Decision 2003/17/EC which sets out conditions for granting equivalence to third countries (field inspections and seed) and lists the third countries to which EU equivalence has been granted will expire on 31 December 2022. The Commission informed that it intends to present during the first quarter of 2022 a proposal to extend the period of application of this Decision and to add Bolivia to the list of third countries for which equivalence has been granted as regards maize, sorghum and sunflower, following Bolivia's request from 2016 and the audit in 2018.

#### **6. AOB**

##### **Upcoming meetings under French presidency**

The delegate from France informed about upcoming Council Working Party meetings under the French Presidency in 2022: 8 January (OECD Seed Schemes coordination), 25 February (EU equivalence) and 3 June (OECD Seed Schemes coordination).

##### **Export of seed potatoes to UK**

In reply to a question how Member States should organise exports of seed potatoes to the UK, the Commission invited Member States to consult the information made available by UK on the internet and to come back to the Commission if they had further questions:

- Border Operating Model: <https://www.gov.uk/government/publications/the-border-operating-model>
- Guidance on how to import plants, fruit, vegetables, cut flowers, trees and agricultural machinery to Great Britain and to Northern Ireland from the EU: <https://www.gov.uk/guidance/import-plants-and-plant-products-from-the-eu-to-great-britain-and-northern-ireland>