

## **1. INTRODUCTION**

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

AGRICO U.A. seed potatoes cooperative

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

Breeder of S&PM; Supplier 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**

Sustainability issues.

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

## **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?**

No

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

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

Yes

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

\* Improvement of biodiversity, sustainability and favour of innovation (improvement of biodiversity and sustainability requires marked demand: breeders will react upon. Innovation requires less rules = better regulations) \* Promote a more harmonised implementation by audits and training. (Lack of harmonisation is not perceived as problematic in the seed potato business. Partly it is an advantage e.g. in the case of VCU evaluation) \* Enhance the role of the Common Catalogues by increasing the level of provided information. (In potato there is no role that can be increased whatsoever. Users of the S&PM that we supply are entirely informed by our own organisation and

the "seeing is believing" trials that are carried out in collaboration with the users). \* enhance market transparency and improve traceability. (This objective introduces the threat of even more administrative burden. There are no complains about transparency and traceability)

**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**

2

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

4

**Contribute to improve biodiversity, sustainability and favour innovation**

5

**Promote plant health and support agriculture, horticulture and forestry**

3

**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?**

Yes

**4.2.1 Please state which one(s)**

Centralised DUS only (as in scenario 5) + voluntary VCU and only at national level + official examination of lots of S&PM as in scenario 1

**4.3 Are certain scenarios unrealistic?**

Yes

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

Scenario 4. Section 2 varieties will cause total chaos in the market when it comes to plagiarism, S&PM, identity, quality, plant health \* All scenario's that direct DUS to industry (see 4.2) \* All scenario's that direct official examination of S&PM lots to industry without a public option. In seed potatoes, there are several thousand of suppliers and a system of audits will cause more costs than in the present situation where costs typically are already fully recovered form the stakeholders.

**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?

No

### 5.2 Have certain impacts been overlooked?

Yes

#### 5.2.1 Please state which one(s)

In scenario 2 and 3 and 4: auditing DUS tests will be very difficult from a technical perspective. For specialised technical staff in public organisations within the EU it is already hard to arrive at identical conclusions for the Distinctiveness criterion. \* In scenario 4: Third countries, that buy 1/3 of our supply of S&PM, demand certification of S&PM that, according to this scenario is achieved through section 1 procedures but the VCU criteria for health and adaptation to the physical environment are of no value for these third countries as their demands and production environment does not all match European standards. In our view scenario 4 destroys existing flexibility \* In scenario 5, where it comes to VCU-tests, the harmonisation will deteriorate the marked access since it is the current lack of harmonisation (different VCU protocol per MS) that guarantees access to the markets (one door, several keys).

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

Underestimated

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

underestimated see 5.2 (scenario 2+3+4) overestimated: see 5.2. (scenario 5)

### 5.4 How do you rate the proportionality of a generalised traceability/labelling and fit-for-purpose requirement (as set out in scenario 4)?

No opinion

### 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

Neutral

#### Scenario 2

Very negative

#### Scenario 3

Very beneficial

#### 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:

Scenario 1 implies hardly any changes to current system Scenario 2: the harmonised VCU criteria will block marketing of potato varieties for which market demand is already evident. Examination under official supervision in the potato sector with a multitude of suppliers will not work at all. Scenario 3 is partly very beneficial (where it applies the possibility to have VCU tests optional; we will never go for VCU anymore!) but partly very negative as for the examination part we need to stick to system where official examination by public bodies remains to be possible. Scenario 4 is very negative for reasons mentioned earlier: it will cause plagiarism, confusion,

fraude etc etc. Scentario 5 very negative for the reasons mentioned earlier: harmonised and obligatory VCU blocks market access and the option of official examination is not given any longer in this scenario.

## **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?**

Scenario 1 (official examination) + Scenario 3 (VCU optional) + Scenario 5 (harmonised DUS).

#### **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:**

Ideally, for no single crop, VCU tests should be mandatory. Rather, a national but voluntary option for VCU should be implemented. If this is not realised, the second best idea is if flexibility would be sought in a per crop based approach. There should be a procedure that allows breeders and suppliers to (collectively) plea for moving a crop from the group of agricultural species to the group of "other regulated species"

## **7. OTHER COMMENTS**

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

1) We are strongly against examination of S&PM lots under official supervision as a sole option. It will create higher costs for industry and more administrative burden. 2) We are strongly in favour of voluntary VCU-testing whereas DUS testing for the sake of clarity, transparency and quality needs to remain a public task. 3) We are strongly against adding sustainability criteria to any VCU testing as agronomic performance criteria are already a source of endless dispute with public servants that don't understand the needs and structure of the market. 4) The review in itself is well performed. The complexity of the matter is well dissected in understandable parts. The briefing and consultation of stakeholders is optimal. Enough time is taken to carefully come to truly better regulations.

### **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:**

