

1. INTRODUCTION

1.1 What is the name of your organisation?

USRTL

1.2 What stakeholder group does your organisation belong to?

Other

1.2.1 Please specify

USRTL is gathering all the private scutchers of flax in FRANCE

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?

No

2.2 Have certain problems been overlooked?

Yes

2.2.1 Please state which one(s)

European legislation on seeds needs to be strongly in favor of food security both in quantities and quality. In a more sustainable way of farming, genetic progress is the only way to increase the production with less fertilizer and phytosanitary products. Without public orientation and control of genetic progress through registration of varieties and control of quality of seeds it would be impossible to reach these objectives.

2.3 Are certain problems underestimated or overly emphasized?

Overestimated

2.3.1 Please indicate the problems that have not been estimated rightly

Costs of registration and certification are overestimated compared with the french implementation where certification and part of VCU is made under official supervision. Moreover this charge is mainly paid by stakeholders through seeds. The current regulation is all except a constraint for innovation.

2.4 Other suggestions or remarks

no 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?

Yes

3.2.1 Please state which one(s)

The first general objective is the food safety on quantity and quality. Consequently, we need to add in specific objectives the improving of productivity.

3.3 Are certain objectives inappropriate?

Yes

3.3.1 Please state which one(s)

We don't share the idea that horizontal framework is absolutely requested to address general and specific objectives.

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

2

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

3

3.6 Other suggestions and remarks

In 3.5 : Improve productivity is also number 1

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)

Yes we miss a scenario whose target would be to improve the current system through financial optimisation and integration of new environmental issues. In all scenarii, the relations between plant health and seed legislation are not well taken into account contrary to what is said in the objectives.

4.3 Are certain scenarios unrealistic?

Yes

4.3.1 Please state which one(s) and why

Scenario 3 and 4 are unrealistic. By allowing breeders and suppliers to supply the market without any formal and official control, compare to the current situation these scenarii represent a strong regression, specially with regard to user informations and public leverage aimed at orientating genetic progress.

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

no 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)

See 4.3.1 : the impact on european seed industry of optional scenarii 3 and 4 have not been really studied mainly because they were denied. It's because of compulsory regulation that there are still in France 74 large , medium, and small seed breeding companies, 240 seed producers , 18 000 seed growers, and 500 news varieties each year. These compulsory legislation and standards influenced the all world and allow Netherlands, France, but also Italy or Germany to be the main exporters of seeds thanks to harmonization of regulations.

5.3 Are certain impacts underestimated or overly emphasized?

Underestimated

5.3.1 Please provide evidence or data to support your assessment:

The impact on phytosanitary and sanitary reinforcement, needed to obtain the same security than the one we have through certification of seeds, is totally neglected.

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

Not relevant

Scenario 3

Very negative

Scenario 4

Very negative

Scenario 5

Neutral

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

All stakeholders, included users, in France are clearly in favor of compulsory registration, and certification of seeds for agricultural crops. More than that, during the " Grenelle de l'Environnement" it was decided by all stakeholders, included NGO's, to influence breeding activities in a more sustainable way through registration criterias, which of course would be impossible with optionnal registration and certification of seeds

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?

For agricultural and vegetable crops the scenario 2 seems to be the most adapted to reach the objectives of the European policy on seeds. For VCU we need evolution to integrate environmental criteria in the experimentation and to give more information to users. For certification about agricultural crops the scenario 2 is used in France with no cost for public authorities and at a very reasonable cost for users (less than 1% of the turnover). The scenario has to be improved by closer links with phytosanitary legislation and 882/2004 regulation.

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 impact on plant health and quality of seeds of scenario 2 is not negative - The impact on administrative burden of scenarios 3 and 4 is clearly positive for the private sector but not the impact on costs. At the opposite if DUS or VCU is made by a company, this company needs to have a reference collection which means between 1000 and 8000 accessions for each species and it's very costly. - The impact on competitiveness and trade of scenarios 3 and 4 is clearly negative with the end of harmonized standards through OECD seed scheme. - The environmental impact is positive on scenario 1, 2 and 5 if we had new criteria on VCU. The impact of scenarios 3 and 4 is clearly negative with no tools in the hands of member states to influence breeding activities.

7. OTHER COMMENTS

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

nothing

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:

- NIAB web site - ISF web site - OECD web site - Comtrade - GNIS study on varieties in 2009

