

## **1. INTRODUCTION**

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

Der Direktor der Landwirtschaftskammer Nordrhein-Westfalen als

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

Competent Authority (CA) involved in S&PM certification and control

#### **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**

Nevinghoff 40 48147 Münster Tel.: +49 251 2376679 E-Mail: Holger.Dietzsch@lwk.nrw.de

## **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?**

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**

- differences of fees at EU-Level; - positive effects of a harmonised framework for costs; - positive effects of sustainability issues (varieties with a high productivity [yield] use less fertilisers and water;

#### **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)**

- reduce costs and administrative burden for public authorities and operators without compromising the general policy objective: - foster innovation in plant breeding with a focus on varieties that can be grown in a more sustainable manner

### **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**

1

**Secure the functioning of the internal market for seed and propagating material**

3

**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**

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?**

No

**4.2 Have certain scenarios been overlooked?**

Yes

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

- no changes to current technical provisions but simplification and harmonisation

**4.3 Are certain scenarios unrealistic?**

Yes

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

Scenario 3 and 4 - Certification (officially or under official control) of lots, which will be intended for export is still necessary, where other lots were marketed solely under suppliers' label; Maintenance of two variety testing and certification systems; - most Member States would like to continue having VCU on a voluntary basis on their territory; - when abandoning obligatory VCU testing there is no official information for post registration networks, which increases costs for post registration variety testing and/or is slowing down transfer of innovation into farming practice - certification only for varieties, which are tested in VCU for health and adoption to physical environment, but not for yield; Scenario 5: - higher administrative burden and higher costs for control are expected

**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)**

- Impact on SMEs (high transaction cost); - loss of impartial variety-information for stakeholders

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

Underestimated

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

Underestimated - impact on the structure of breeders: private variety performance testing and certification systems favour large international seed companies, which is seemingly the main objective of the better regulation approach; - possible loss of official variety testing results for stakeholders; - negative impacts for health and quality of S&PM Overestimated - positive impacts on competitiveness and seed prices, when VCU and certification are abandoned (current system costs are less than 3% of the market value, which is quite low; new system will never turn cost to nil)

**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**

Very negative

**Scenario 2**

Fairly beneficial

**Scenario 3**

Very negative

**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:**

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:**

- information of users would be less with Scenario 4+5 - farmers' choice and degree of innovation would be less with Scenario 3,4,5 - reduction of costs in the same way for authorities and the private industry is not possible with Scenario 3,4,5; there are hidden costs for the public sector, which are not overseen (potential costs for risk based monitoring) - health and quality of S&PM would turn out be lower with Scenario 5 - competitiveness would not improved with Scenario 3,4,5

**7. OTHER COMMENTS**

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

**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:**

