



**SUMMARY REPORT OF THE MEETING OF THE
STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED
SECTION SEEDS AND PROPAGATING MATERIAL FOR AGRICULTURE AND
HORTICULTURE**

WEDNESDAY 18 MARCH 2015

Chairperson: Ms Päivi Mannerkorpi

SECTION A Information and/or discussion

A.1. Exchange of views on the working programme in the areas covered by the Standing Committee for the year 2015.

The Commission presented the working programme for 2015. In the new Commission weight is put on the implementation of the EU legislation. An exchange of views took place. The Commission's intention is to start the work on updating the Annexes of Council Directives 2002/55/EC (vegetable seed) and 2008/72/EC (vegetable propagating material). The Member States were asked to provide their written comments by 30 April 2015.

A.2. Exchange of views on true potato seeds in view of the possible organisation of a temporary experiment.

In the Netherlands two seed propagated potato varieties are currently undergoing registration trials. As potato varieties propagated through seed are not covered by Council Directive 2002/56/EC it is necessary to carry out a temporary experiment in order to allow the marketing of the true potato seed. The Commission announced that an experts' working group will be convened in May to establish the technical requirements for the temporary experiment.

A.3. Exchange of views on illegal seed imports from countries without equivalence.

The Commission presented data on the import of cereal, fodder grass and vegetable seeds from countries with no EU equivalence, which is a condition for imports into the EU. The presentation concluded that there are likely to be ambiguous data in some cases where grain and seed is traded. Some species like lucerne, clovers and some grass species had a significant proportion of seed imported from countries without equivalence. In most other species there is occasional import from third countries without equivalence. The Commission encouraged the Member States to clarify the situation and to sensitise responsible authorities to EU requirements for seed imports. Romania presented its position concerning production of seed on the territory of Moldova. The Commission recalled that an equivalence decision is needed. A follow-up will take place in the next Committee meeting. Furthermore, it might be necessary to extend the scope of equivalence requests. Several Member States agreed that the equivalence for Ukraine should also include fodder grass seed.

A.4. Follow-up on the issue of fraudulent official labels used for grass seed lots.

The delegate from Poland has informed about falsified Polish official labels on large volumes of grass seed which has been marketed to Belgium, France, Italy and Portugal. A follow-up of the situation took place. The delegate from Poland asked to receive original false labels in place of copies. The Member States concerned informed about the measures taken. In Belgium no cases could be identified. The need for good co-operation was highlighted, also between the different national competent authorities within a Member State, in order to take actions and to identify the producer of false labels. The item will be followed up in the next meeting.

A.5. Exchange of views on import requirements for untreated/unprocessed vegetable seeds.

The Commission stated that according to Article 37(1)(d) of Council Directive 2002/55/EC, the import from third countries of vegetable standard seeds requires an equivalence decision. Seed as grown can be marketed in the EU. According to information provided by Member States and by stakeholders, most vegetable seed are imported unprocessed. An exchange of views took place. The Commission requested information from the Member States concerning imports of vegetable standard seeds by 30 April 2015.

A.6. Exchange of views on the rules on seed lot reference numbers in case of dividing a seed lot into different lots with different marketing categories.

Concerning the application of rules on reference numbers in case of dividing a seed lot and the establishment of different lots with different marketing categories, the Netherlands informed that the purpose of reference numbers is to trace a lot back to the field in which it was grown. Therefore, in the Netherlands the subdivisions of a lot retain the same reference number even if they are in different marketing categories. Denmark welcomed this clarification.

A.7. Presentation of the report and the recommendations of the Commission working group concerning the listing of harmful organisms of Annex IIAII to Directive 2000/29/EC.

The Commission informed about the results of the Working Group concerning the listing of harmful organisms of Annex IIAII to Directive 2000/29/EC as quarantine pests, regulated non-quarantine pests (RNQP, quality pests) with or without a protected zone with quarantine status or deregulation. The Commission informed that the work should be finalised when the new Plant Health Regulation enters into force.

A.8. Presentation by the Commission on the possibilities to review the listing of harmful organisms regulated under Council Directive 2000/29/EC towards a listing under the Council Directives for the marketing of propagating material, followed by an exchange of views.

The Commission informed that potato spindle tuber viroid, currently listed under Annex I of Council Directive 2000/29/EC, will most likely become delisted and that emergency measures in force for pepino mosaic virus will be repealed. In both there might be the need to list the harmful organisms as quality pests in the Directives for marketing of seed potatoes and vegetable seed, respectively. Further work on this topic will have to await the decisions in the Plant Health Standing Committee.

A.9. Exchange of views on the use of the term 'accreditation' by ISTA.

Article 2(11) of Regulation (EC) No 765/2008 stipulates that a national accreditation body means 'the sole body in a Member State that performs accreditation with authority derived from the State.' In the EU, the International Seed Testing Association (ISTA) continues to carry out accreditations of seed testing laboratories in parallel to the system established by Regulation (EC) No 765/2008. The Commission reiterated the fact that the activities of 'accreditation bodies' such as ISTA, that are not the officially appointed national accreditation bodies, cannot be considered as accreditation in the sense of the Regulation. The Member States delegates discussed the issue with a view to identify possible solutions and emphasized that the role of ISTA should be safeguarded. The Commission announced to convene a meeting with ISTA.

A.10. Exchange of views on the indication of hybridity in the common catalogue.

The Common Catalogue of agricultural and vegetable varieties contains some additional, non-obligatory information concerning varieties, such as hybridity. The Commission requested the opinion of the Member States concerning the question if information on hybridity should be indicated for all species. Denmark pointed out that information on hybridity can be important for inspections and that the organic sector prefers to know if hybrids have been produced using e.g. cytoplasmic male sterility. Member States agreed that it is necessary to analyse in more detail the technical information provided in the Common catalogues.

A.11. State of play of the proposal for a Regulation on Official Controls.

The Commission presented the outline of the proposal on Official Controls and informed on the state of play. In April 2015 the Council Working party will discuss the issue of inclusion of the 12 Directives on marketing plant reproductive material. An exchange of views took place. Member States requested clarifications on the compatibility of the new Regulation with the concepts of the 12 Directives and especially with regard to some definitions, terms used for documents of intermediary steps of controls and fees. It was agreed to organise a bilateral meeting to clarify some issues in more detail.

A.12. Follow-up on OECD Seed Scheme matters.

The Commission announced that on April 29 and 30 two working groups will be convened. One working group will address issues of biochemical and molecular methods in the context of DUS-testing for both variety registration and plant variety rights and of certification. The second working group will address other questions of relevance for the OECD Seed Schemes.

A.13. Information on the upcoming transposition of Directives.

The Commission informed on the approaching deadlines for the transposition of Commission Implementing Directives 2013/63/EU, 2014/20/EU, 2014/21/EU and 2014/105/EU. The Commission recalled that timely application is crucial for avoiding infringements for late transposition. Estonia enquired if notification is necessary in case of early implementation of the Directives according to Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations. The Commission will inform after consultation with its Legal Service.

A.14. Miscellaneous.

- The Commission informed on the status of equivalence requests from Ukraine, Moldova and Brazil. The evaluation of the Ukrainian legislation has been finalised and a FVO audit will take place in May 2015 in Ukraine. Currently, Brazilian legislation is evaluated by experts and the Commission is awaiting the Moldovan set of legislation.
- The Commission informed of its intention to present, in the coming months, a proposal to amend the annex on seeds to the EU- Switzerland agreement on trade in agricultural products, to recognise that the legislation of both parties on vegetable seed have the same effects. No reaction from the representatives of the Member States.

- The delegate from Denmark raised the issue whether the Directives on conservation and amateur varieties are working well or not. Denmark and Slovenia pointed out that the quantitative limitations are seen to be too restrictive. The Commission recalled that these limitations are based on the basic Directives and thus cannot be changed. The Commission is planning to work on the implementation of the Directives.
- The Commission informed that the list of Competent Authorities responsible for the provisions of samples for official post-control tests has been uploaded on CIRCABC and will be updated as soon as the missing data have been notified.
- The Commission provided an update on the state of play of the Plant Health proposal. It introduced the issues to be settled since the withdrawal of the PRM proposal and how to align the provisions of the plant health proposal with the existing rules of the marketing Directives concerning joint certification schemes and combination of plant passports with official labels.
- The delegate from Norway asked about the inclusion of *Brassica napus* L. var. *napobrassica* (rutabaga) under the scope of the Directive on marketing vegetable seed. The issue will be discussed during the next meeting.

SECTION B **Draft(s) presented for an opinion**

B.1. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Directive as regards the amendment of Annexes I and II to Council Directive 66/402/EEC on the marketing of cereal seed.

A vote could not take place as the Inter-Service Consultation was not concluded in time. The Member States discussed some clarifications concerning the draft text.

Vote: Postponed.