

1. INTRODUCTION

1.1 What is the name of your organisation?

Ministry of Agriculture and Forestry

1.2 What stakeholder group does your organisation belong to?

Competent Authority (CA) involved in S&PM certification and control; Competent Authority (CA) involved in S&PM variety and material registration

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

Ministry of Agriculture and Forestry, PO Box 30 FI-00023 GOVERNMENT

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

SEED SECTOR There is need to review of S & PM legislation but good and well functioning elements of old legislation should be maintained. The very basic elements like variety registration and certification is still needed in future too. Geographical and local features like daylength and short growing period in Finland have to be taken account. Total harmonization all over Europe is not possible and there should be room for national legislation in very special areas. In Finland the national legislation on wild oats is important and needed in future too. Harmonization in fees is not realistic approach and thus there should not be rules on fees at EU level. Niche markets and conservation varieties should have less stringent requirements which would be more appropriate and realistic in relation to market size.

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?

Yes

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)

SEED SECTOR: Objectives include harmonization of rules and at the same time flexibility of procedures. This is difficult to achieve by single seed law. The needs of all different sectors should be recognized. It's important to respect the international rules and standards as these are very basic provisions in international trade. Policy objects should include maintaining of biodiversity not only improving the biodiversity.

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

2

Empower users by informing them about seed and propagating material

5

Contribute to improve biodiversity, sustainability and favour innovation

4

Promote plant health and support agriculture, horticulture and forestry

3

3.6 Other suggestions and remarks

SEED SECTOR: The priority is high quality of healthy seed and the promoting the productivity of agriculture and horticulture in sustainable way. In future there is need to feed increasing amount of population. Innovations and plant breeding should be encouraged. The traceability and registration requirements are needed to ensure safe production. The global aspect should be included, thus the role of international standards and rules should not be forgotten.

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?

No

4.2.1 Please state which one(s)**4.3 Are certain scenarios unrealistic?**

Yes

4.3.1 Please state which one(s) and why

SEED SECTOR: Scenarios 3, 4 and 5 are not appropriate to seed sector. Scenario 3 presents system where variety performance testing and official certification is optional. We do not see this possible approach to ensure high quality seed production. VCU -tests are very important to users of seed especially in specific cultivation conditions like in Finland. Possibilities to DUS testing in regional level have to be maintained. The extended role of CPVO in variety registration would lead to very complicated and time consuming process. CPVO can manage the database of varieties but decision making on listing of varieties has to be maintained on national level.

Scenario 4 would lead to very difficult and unharmonized system and this would cause confusion from the user's point also. Seed intended for export has to fulfill requirements of certification and testing. Scenario 5 is not applicable. There is danger that this would lead to disappearing of national testing stations. Centralisation would probably lead to higher registration costs and prolonged time is needed to get variety listed to EU-register. Approach on conservation varieties/niche markets could be liberalised but plant health risk has to be taken into account. Requirements for conservation varieties have to be reasonable and realistic in regard to market size, market value and significance. Quantitative restrictions for conservation varieties should be more flexible if the regional limits will be maintained.

4.4 Do you agree with the reasoning leading to the discard of the "no-changes" and the "abolishment" scenarios?

No

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)

SEED SECTOR: Scenario 2: the estimated impact on administrative burden and costs for authorities is too positive. It is not possible for small companies perform registration tests and thus it is still needed tests performed by competent authority. Scenario 3: too positive impact presented on administrative burden and costs for private sector operators. If the VCU-tests would not any more be required this would lead VCU-tests made by private sector operators and would mean extra costs for them. Savings on VCU-tests and official certification do not automatically mean money directed to breeding programmes. Scenario 4: the impact on plant health is underestimated. Impact on administrative burden and cost for private sector is underestimated.

5.3 Are certain impacts underestimated or overly emphasized?

Overestimated

5.3.1 Please provide evidence or data to support your assessment:

See answers in point 5.2.1

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

4 = not very proportional

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 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:

See answers in point 6.1.1

6. ASSESSMENT OF SCENARIOS

6.1 Which scenario or combination of scenarios would best meet the objectives of the review of the legislation?

Scenario with new features

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

SEED SECTOR: 2 scenario is closest to our approach. We support the modified scenario as the elements of current regulations on certification and DUS and VCU-testing have to be preserved. In very special climatic areas like in Finland it is uttermost important to maintain VCU-testing. VCU tests serve valuable information to farmers and to users of seed. There should be flexibility in transferring tasks to industry. It is not possible for small companies to perform all tasks. CPVO could maintain Common catalogue as it now has the database on denominations but national catalogues have to be maintained. Decision making on listing of varieties have to be remained in national level. The information in national catalogue is in mother language and thus it serves users in better way. There are species which are not listed in Common catalogue or species which are only cultivated in very local area thus national catalogues are needed. One key several doors principle is highly recommended. Registration of operators and traceability are very important elements in future legislation. Risk-based monitoring is profitable. Legislation has to take account international rules and standards and international trade. Especially plant health requirements have to be align with new Plant Health law. Approach to conservation varieties should be revised. The limits in production areas have to be reasonable. Legislation should encourage the biodiversity not limit the biodiversity.

6.2 Do you agree with the comparison of the scenarios in the light of the potential to achieve the objectives?

No opinion

6.2.1 Please explain:

7. OTHER COMMENTS

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

It has been very difficult to answer to this survey as this has been targeted to seed sector. All three sectors are very different and they have totally different terminology. Scenarios are not very clear and differences between scenarios are very difficult to understand.

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:

