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Health and Food Safety Directorate General

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**SUMMARY REPORT OF THE
STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED
HELD IN BRUSSELS ON 01 DECEMBER 2017**

(Section Seeds and Propagating Material for Agriculture and Horticulture)

CIRCABC Link: <https://circabc.europa.eu/w/browse/13832fab-cfb9-45f1-885d-8671b3b11a74>

A.01 Presentation of a working document on the requirements for soybean, in particular the threshold for inert matter.

The Commission gave a short update on the discussion among the Working Group members who have suggested to delete the requirement on inert matter. However, the question still remains whether there will be an impact of increased content of broken seed and in-organic inert matter (soil, stones etc.) if only the purity requirement of 98% would apply. An exchange of views took place. According to some experts the presence of in-organic material is not a problem because of efficient cleaning processes. The Commission asked the Member States to provide further certification results on the matter and will continue to analyse the provided data.

A.02 Presentation of a working document on an approach to seed fraud.

The Commission gave a presentation on the organisation and processes (contact list, requesting form) for the voluntary network to exchange information and requests among the Member States in relation to suspicion of fraud in seed and other plant reproductive material. The Member States welcomed the approach. It was clarified that the possible fraud shall concern the infringement of the Directives on marketing plant reproductive material and not e.g. plant variety rights legislation, for which enforcement is private law. Written comments on the requesting form with drop down lists should be sent by 31 December 2017.

A.03 Update on the Commission/CPVO project on a unique EU IT System on plant varieties.

The project intends to develop an IT system whereby a unique contribution may be used to submit national data to the Common Catalogues and CPVO's Variety Finder. CPVO reported on the outcome of a Working Group comprising Member State experts, stakeholders, Commission and CPVO staff and the results of a consultation on the content and functionalities of this unique EU IT system on plant varieties. The next Working Group meeting will take place in the beginning of 2018.

A.04 Presentation of a working document on the update on the use of common names in the Directives [2002/55/EC](#) and [2008/72/EC](#).

The Commission presented a working document containing a proposal on how to clarify the scope of varieties falling under the two Directives and suggestions to delete and add several species. The proposal uses the category 'Group' from the International Code of Nomenclature of Cultivated Plants to define the range of varieties covered by the two Directives. An exchange took place in particular on criteria for listing species, such as number of varieties for proposed new or deleted species, changes in scope and the need to consult concerned stakeholders. The Commission requested the Member States to consult with scientific experts and stakeholders and to reply by 19 January 2018. Member States furthermore emphasised that objective criteria should support decisions to add or delete species from the Directives.

A.05 Update on EU equivalence requests.

The Commission gave a short update on the situation of requests from third countries on EU equivalence on seed production and certification. As regards the request of Ukraine the internal process is ongoing. The equivalence decisions for Brazil and Moldova have been adopted by the Commission and sent to the European Parliament and Council and are also in the process of public consultation. Senegal should still provide its legislation. The legal analysis for Bolivia has been carried out and a letter was sent to request some clarifications. If the reply to the letter will be considered satisfactory Bolivia might be audited in 2018. India has recently made a request. The Commission asked the Member States to provide assistance for screening the legislation provided by India.

A.06 Follow-up of OECD Seed Scheme matters.

The Commission gave a short update and encouraged Member States to provide information to the OECD concerning the advantages and disadvantages of mixtures of varieties of the same species in order to facilitate the ongoing discussions on this topic. Concerning biomolecular and biochemical techniques (BMT), the Commission highlighted the EU position that any methods should be internationally validated. The delegates also welcomed the adoption of the Strategic Plan of the OECD Seed Schemes. A decision adopted in the OECD Annual Meeting in June 2017 on isolation distances for *Sorghum* has to be included in EU legislation.

A.07 Exchange of views on the problems with reference material.

The Commission presented the issue raised by one Member State which still faces problems to receive reference material from other Member States' authorities, who carried out variety registration, in view of carrying out post-control trials. The established contact list has not removed the problem. A short exchange took place and some further Member States addressed the issue including the question on fee for such a sample. The Commission suggested to contact the concerned Member State and discuss bilaterally. If no result is achieved the Commission could assist if it is informed about the case. In this context the Commission mentioned the questions it has received for maintenance of varieties and therefore suggested to put maintenance breeding and related good practices on the agenda of the next meeting. One Member State volunteered to give a presentation of its practices.

A.08 Presentation of the Commission notice to breeders and suppliers subject to the Union legislation on the marketing of seeds and other propagating material in the framework of Brexit.

The Commission presented the notice and an exchange took place. Some Member States have received requests on variety registration for varieties which will be deleted from the Common Catalogues as they had been notified by United Kingdom alone. The ongoing examinations in United Kingdom which might not be finished by the withdrawal date, were raised as some Member States have bilateral agreements with United Kingdom. The Commission will look into the rules on marketing remaining stocks of seed when the variety is deleted from the Common Catalogues.

A.09 Exchange of views on the Working Programme 2018.

The Commission presented the working programme for 2018. Questions were raised in relation to permanent rules for field inspection under official supervision for pre-basic and basic seed, the amendment of quantitative restrictions for marketing seed of the so called not-yet listed varieties of maize and the future listing and measure for Regulated-Non-Quarantine-Pests (RNQPs). Suggestions were also made for rules on officially recognised description for traditional varieties of vine and to add bio-molecular techniques for fruit propagating material and plants. One Member State asked to amend the rules on farm-saved seed in the Community Plant Variety Rights legislation. The Commission took note of the requests.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Decision approving, on behalf of the European Union, the amendment of Appendices 1 and 3 to Annex 6 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products.

The Commission presented the text that recognises the equivalence of vegetable seeds produced in Switzerland. Some corrections were agreed to take account of the latest EU enlargement and to update the EU legislation as listed in Appendix 1.

Vote taken: Favourable opinion.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Directive amending Directives 2003/90/EC and 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC and Article 7 of Council Directive 2002/55/EC respectively, as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species and vegetable species.

The Commission presented the text highlighting the new and revised technical protocols issued by the Community Plant Variety Office and the UPOV. There were no comments from Member States.

Vote taken: Favourable opinion.

- M.01** Delegates requested information on the state of play of the proposal on Organic Regulation and the impact on the seed sector. The Commission replied that the proposal still has to be adopted by Council and Parliament and that the final version of the draft proposal contains the empowerment to adopt a delegated act on heterogeneous material and a commitment to develop a temporary experiment on appropriate testing requirements for the registration of varieties suitable for organic production.
- M.02** A delegate enquired about the impact of the EPPO study on Regulated Non-Quarantine Pests (RNQP) on the legislation on marketing plant reproductive material. An exchange took place, in particular on plant passport and official label, registration of operators, RNQP listing and certification requirements and consultations. The Commission explained that the plant passport is obligatory for all plants for planting except for seeds without RNQP requirement and that recently the options for the format of the plant passport were agreed. It also informed that a joint Commission working group for both plant reproductive material and plant health experts will be organised in the new year to discuss the listing of RNQP and the certification measures. Any questions in relation to the new plant health legislation and its implications should be sent by 31 December 2017. For a better exchange of information the Commission will see that the different CircaBC groups can be made available for both the plant reproductive and plant health experts.
- M.03** One delegate suggested to ask information from the Member States about the level of fees for registration of conservation varieties. The Member States indicated a range of 0-500 euros whereby in a number of Member States this activity is free of charge.
- M.04** A delegate enquired about its earlier request to amend the quantitative restrictions for seed of the so called not-yet listed varieties maize as to allow larger scale tests and trials. The presentation of the request is postponed to the next meeting.