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Brussels  
September 2013  
ESA\_13.0669

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# POSITION

## POTENTIAL FOR GROWTH

### BETTER GOVERNANCE AND OFFICIAL CONTROLS

#### **ESA's Position on the proposal for Official Controls**

European agriculture is faced with an enormous challenge: to foster economic growth, reduce environmental impact and ensure food security at the same time. The identity, performance, quality and health of seeds are fundamental for all agricultural and horticultural production and the key factors to address this challenge successfully.

Official controls play a key role to ensure the identity, health and quality of any plant and plant reproductive material in the Union. This is fundamental for the overall integrity of the EU food and feed chain and supports consumer protection, public health and environmental safety.

#### **The situation today**

Certain sectors of the EU food and feed chain are not yet included in the scope of the current Regulation 882/2004. While dedicated official controls have always formed part of the European legislation on seed and on plant health, these have been developed separately in specific sectorial rules, namely in a number of different EU seed marketing directives and in the plant health directive.

#### **ESA's vision for the future of official controls of seed**

The main innovation of the revision of the Official Controls Regulation is the integration of seed and plant health under the overall responsibility of the Food and Veterinary Office. ESA welcomes this approach as for Europe's plant breeders, seed producers and traders, the inclusion of seed in the common EU framework for official controls will further strengthen consistency and alignment of controls across the full EU food and feed chain and will ensure that the agreed rules are implemented in a harmonised manner across Europe. This will also foster the common market for seeds

and support a level playing field for all operators.

ESA fully supports the principle of delegation of tasks to private operators, under official supervision. The seed sector is committed to take on more responsibility on the base of a new governance approach based on a strong public-private partnership. Not only will this bring about reduced administrative burden, it will also offer possibilities to cut costs and foster the competitiveness and quality standards of the sector.

### **Recommendations for improvement of the Commission proposal**

While ESA welcomes the general approach of the legislative proposal and supports its main elements, the seed sector sees three key areas where changes are needed and improvements required:

- **Coverage and scope of official controls**

ESA considers that the system of official controls will only be successful if it applies consistently to all professional operators and their respective products. The credibility of the official bodies and the private sector, and the effectiveness of these controls, depends on their broad application.

ESA is concerned by the numerous derogations for micro-enterprises, which in practice will apply to a very large number of operators. In the areas of plant breeding, seed production and marketing, more than 70% of all operators would fall under such derogations. Not only does this question the credibility of the system; it will also put a huge financial burden on the remaining operators and on public budgets.

- **Fees**

ESA is of the opinion that fees for official controls are proportionate to the level of activity of the operator, and smaller operators with fewer activities will pay fewer fees. Therefore, there should be no exemption for certain operators from the obligation to contribute to the overall control system with proportionate fees. In any case, where specific financial provisions are considered appropriate, these should not come at the expense of other operators. Any derogation from the regular fees should therefore be covered by a dedicated public budget.

- **Minimum quality requirements for seed**

Article 20 foresees a set of delegated acts that will establish the rules for the performance of **official controls** and **minimum requirements** for certain categories of plant reproductive material. ESA considers it crucial that this article lays down those minimum requirements for **all** categories of plant reproductive material. This will be the key to ensure there is a common quality denominator for all operators making available on the market plant reproductive material. Guaranteeing minimum quality standards is crucial for **consumer protection** and for the credibility of the overall system, as well as to ensure a level playing-field for all operators. ESA stresses the importance

of Member States' involvement in the definition of these minimum quality requirements.

ESA is committed to support fair rules and proportionate requirements for all operators of plant reproductive material. It is our objective to ensure farmers' access to the highest quality seed of the best plant varieties and to safeguard the leading international position of Europe's plant breeders and seed producers, based on a true common market.

The seed sector stands ready to contribute its experience and expertise and to share responsibility in the implementation and control of the new legal framework, striving for more efficiency.

Consequently, ESA will put forward specific recommendations to Members of the European Parliament and Member States in order to further improve the Commission's legislative proposal.

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ESA is the voice of the European seed sector. ESA's members are national associations and individual companies active in research, breeding, production and marketing of seeds of agricultural and ornamental plant species. ESA represents more than 7000 seed businesses in the EU and beyond.

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