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POSITION

POTENTIAL FOR GROWTH

PLANTING THE BEST SEED FOR EUROPE

ESA's position on the proposal for a new Plant Reproductive Material Regulation

European agriculture is faced with an enormous challenge: to foster economic growth, reduce environmental impact and ensure food security at the same time. Seed of continually improved new plant varieties is the fundamental input to all agricultural and horticultural production and the key factor to address this challenge successfully.

Europe's plant breeders and seed producers develop those high quality seeds required for sustainable and competitive farming. Today, over 7000 European companies are involved in plant breeding, seed production and marketing, meeting the demands of Europe's 12 million farmers and growers, and of over 500 million consumers.

Innovation is at the heart of the process. Plant breeders invest up to 20% of their annual turnover in further R&D. This sustained investment has enabled Europe's breeders to constantly improve the performance of plant varieties with regard to yield, resistance to diseases and pests, resource-use efficiency, but also product qualities such as taste, appearance, shelf-life and others, relevant for sustainable agricultural production.

The situation today

ESA is proud to underline that European plant breeding and seed production are highly successful and competitive. The sector is a world leader and largest exporter in the global seed market, spurring diversity and innovation throughout the agricultural production chain.

This success is also based on the intervention of EU legislators since the 1960s, setting up a legal framework that established a dynamic common market for seeds, allowing farmers and growers to access the best plant varieties from all over Europe.

ESA's vision for tomorrow's EU PRM Law

ESA welcomes the effort to bring together all 12 Directives of the current EU seed legislation under a single Regulation for 'plant reproductive material' (PRM) that will apply consistently and systematically across Europe. This will help to further streamline, simplify and modernise the legislation and reinforce the European common market for seed.

To achieve this, the new EU legislation must:

- Establish a **simplified, forward-looking and harmonised EU PRM Law** that fosters a **common market** for seed, a **level playing field** for all operators, and continues to contribute to a **competitive and productive EU** plant breeding and seed production sector. It should be based on a new governance approach of public-private partnership where private operators may carry out defined tasks under official supervision.
- Assure a regulatory framework that supports **high levels of innovation** in plant breeding and continues to encourage the development of ever **new plant varieties** that meet the future requirements of 12 million professional European farmers and growers who rely on the **highest quality seed** of the best performing varieties to underpin the **sustainable development of their agricultural production**.
- Maintain the commitment to **sustainable agricultural production** by upholding the two pillars of seed marketing legislation: **variety registration** and **quality requirements for seed**, including through official certification. These pillars must continue to ensure **full traceability** of all seeds made available on the EU market and offer sufficient guarantees to farmers in terms of **identity, performance, quality and health**.
- Continue to make more **biodiversity** available to users of seed than ever before. Every year, **3500 new plant varieties**, adapted to very different agro-climatic conditions, are registered in the EU for cultivation. The new EU PRM Law must continue to be a legal framework that supports this ambition, so that farmers and growers will continue to benefit from increased **quality and choice**.

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 a number of key shortcomings where changes are needed and improvements required:

Exclusions from the scope: ESA agrees that research activities, conservation activities and exchange of seeds between private gardeners for non-commercial purposes should be excluded from the scope of this Regulation. However, for reasons of transparency, traceability and plant health, ESA insists that **all operators** producing or marketing plant reproductive material **must be included** in the scope of the new PRM law. This must also include networks of conservation that produce or market plant reproductive material.

Derogations for niche market material: ESA firmly opposes this derogation which poses a severe threat to quality, plant health and consumer protection due to lack of traceability and transparency. All markets for plant reproductive material must share a set of basic common rules to ensure a level playing field for all operators. ESA recalls that microenterprises form the vast majority of the companies in the plant breeding and seed production sector. As a result, this derogation would seriously undermine the basic principles of a common set of rules that so far proven effective for all operators, including microenterprises.

Derogations for heterogeneous material: specific rules may be established to suit the genetic characteristics of heterogeneous material. Still, ESA is of the firm opinion that the fundamental principles of quality, health and traceability must apply in a way that is not detrimental to marketing of other plant reproductive material, and that guarantees user and consumer protection. Furthermore, the concept of heterogeneous should be limited to a restricted set of species and must be more clearly defined.

Quality Controls: ESA welcomes the possibility for private operators to carry out certification and quality checks under official supervision. However, ESA stresses the importance of appropriate levels of official control, either prior or post-marketing, and in line with international agreements. Simplification must not come at the expense of ambitious quality requirements for all plant reproductive material.

Exports & Imports: plant reproductive material intended for export should comply with the requirements laid down in an agreement with the country of destination, or with the rules of that country, when they exist. In their absence, an agreement between the professional operators in the form of a private contract should be considered sufficient. For imports, ESA welcomes the principle of “Union equivalence” when this applies to plant reproductive material that is made available on the market in the EU and calls for equivalence to be based on existing international agreements. However, material that is entering in the Union in transit only, for processing or packaging, should not have to comply with the registration requirements of the EU.

Breeding targets: assessing the value for cultivation and use (VCU) of a variety prior to marketing ensures that it offers a relevant improvement to the comparable existing varieties. ESA is in favour of maintaining VCU testing for agricultural species, but is opposed to the distinction made between ‘Sustainable VCU’ and ‘Satisfactory VCU’. As VCU testing today already includes important sustainability criteria such as e.g. disease and abiotic stress resistance, ESA calls for a single VCU scheme that further integrates sustainability and performance criteria.

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 for PRM.

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.

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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