

EU Equivalence on seeds

Background

Council Decision of 16 December 2002 (2003/17/EC) provides that field inspections on seed-producing crops of certain species carried out in certain third countries in accordance with the OECD Schemes for the Varietal Certification of Seed moving in International Trade, are considered as equivalent to field inspections carried out in accordance with Community legislation and that seed of certain species produced in those countries and certified in accordance with the OECD Schemes is considered as equivalent to seed produced in accordance with Community legislation. This equivalence may be applicable to species listed in Directives.

Currently the following seed marketing Directives are mentioned in the EU equivalence Decision:

- ✿ 66/401/EEC (fodder plant seed);
- ✿ 66/402/EEC (cereal seed including maize);
- ✿ 2002/54/EC (beet seed);
- ✿ 2002/57/EC (seed of oil and fibre plants).

Equivalence is recognised for a limited period (renewable by amending Decisions). DECISION No 1105/2012/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 November 2012 extended the period of application of Council Decision 2003/17/EC to 31 December 2022.

Decisions of the European parliament and of the Council (Co-decision process) may also amend the list of third countries for which field inspections and seed may be recognized equivalent to those inspected and produced in accordance with Community legislation.

Scope of the current Decision on EU equivalence

Country	Species referred to in the following Directives
Argentina	66/401/EEC (fodder plant seed) 66/402/EEC (cereal seed including maize) 2002/57/EC (seed of oil and fibre plants)
Australia	66/401/EEC (fodder plant seed) 66/402/EEC (cereal seed including maize) 2002/57/EC (seed of oil and fibre plants)
Canada	66/401/EEC (fodder plant seed) 66/402/EEC (cereal seed including maize) 2002/57/EC (seed of oil and fibre plants)
Chile	2002/54/EC (beet seed) 66/401/EEC (fodder plant seed) 66/402/EEC (cereal seed including maize) 2002/57/EC (seed of oil and fibre plants)
Israel	66/401/EEC (fodder plant seed) 66/402/EEC (cereal seed including maize) 2002/57/EC (seed of oil and fibre plants)
Morocco	66/401/EEC (fodder plant seed) 66/402/EEC (cereal seed including maize) 2002/57/EC (seed of oil and fibre plants)
New Zealand	2002/54/EC (beet seed) 66/401/EEC (fodder plant seed) 66/402/EEC (cereal seed including maize) 2002/57/EC (seed of oil and fibre plants)

Serbia	<p>2002/54/EC (beet seed)</p> <p>66/401/EEC (fodder plant seed)</p> <p>66/402/EEC (cereal seed including maize)</p> <p>2002/57/EC (seed of oil and fibre plants)</p>
Turkey	<p>2002/54/EC (beet seed)</p> <p>66/401/EEC (fodder plant seed)</p> <p>66/402/EEC (cereal seed including maize)</p> <p>2002/57/EC (seed of oil and fibre plants)</p>
United States	<p>2002/54/EC (beet seed)</p> <p>66/401/EEC (fodder plant seed)</p> <p>66/402/EEC (cereal seed including maize)</p> <p>2002/57/EC (seed of oil and fibre plants)</p>
Uruguay	<p>66/401/EEC (fodder plant seed)</p> <p>66/402/EEC (cereal seed including maize)</p> <p>2002/57/EC (seed of oil and fibre plants)</p>
South Africa	<p>66/401/EEC (fodder plant seed)</p> <p>66/402/EEC (only maize and sorghum)</p> <p>2002/57/EC (seed of oil and fibre plants)</p>

Pending Decisions

Moldova

On 7 August 2012 Moldova sent an official request to the European Commission for EU seed equivalence for:

- ✿ Cereal seed (66/402/EEC),
 - in regard of their production of
 - Oats (*Avena sativa* L.),
 - Barley (*Hordeum vulgare* L.),
 - Wheat (*Triticumaestivum* L.),
 - Durum wheat (*Triticum durum* Desf.),
 - Rye (*Secalecereale* L.),
 - Sorghum (*Sorghum bicolor* (L.) Moench),
 - Maize (*Zeamais* L.)

- ✿ Seed of oil and fibre plants (2002/57/EC),
 - in regard of their production of
 - Sunflower (*Helianthus annuus* L.)

- ✿ Vegetable seeds(2002/55/EC),
 - in regard of their production of
 - Tomatoes(*Solanum lycopersicum* L.),
 - Peppers (*Capsicum annum* L.),
 - Cabbage (*Brassica oleracea* L.),
 - Beetroot (*Beta vulgaris* L.),
 - Radish (*Raphanussativus* L.),
 - Onion (*Allium cepa* L.),
 - Cucumber (*Cucumissativus* L.)

The audit took place in Moldova from 14 to 21 June 2016.

In the report (DG(SANTE)/2016-8813-MR), it was concluded that overall, official controls for seed production and certification of seed in Moldova are organised appropriately.

Nevertheless, the following 2 recommendations were provided:

- ✿ Ensure that norms and standards for seeds are harmonised with EU requirements as required by Article 2(1) of Council Directives 66/402/EEC and 2002/55/EC.
- ✿ Ensure that pre and post-control for seed is implemented in line with point 8.1.1 of the Common Rules and Regulations of OECD Seed Schemes.

On 20 September 2016, Moldova answered to the recommendations of the audit reports.

The stakeholder consultation has been opened from July 25, 2017 to August 22, 2017. ESA has given its feedback by supporting the initiative of a decision of the European Parliament and of the Council on the

recognition of equivalence of Moldovan provisions with regard to certification of cereal, oil and fibre and vegetable seed. The legal act is on its way to the Council and the Parliament for the co-decision procedure.

Brazil

On 30 October 2014 Brazil sent an official request to the European Commission for EU seed equivalence for:

- ✿ Cereal seed (66/402/EEC),
 - in regard of their production of
 - Maize (*Zeamais* L.)
 - Black oat (*Avenastrigosa* L.)

- ✿ Fodder plant seed (66/401/EEC),
 - in regard of their production of
 - Italian Ryegrass (*Loliummultiflorum* Lam.)

The audit took place in Brazil from 11 April 2016 to 19 April 2016.

In the report (DG(SANTE) 2016-8812 - MR), it was concluded that overall, there is a well organised system for seed production and certification inBrazil which is based on the delegation of control tasks, under official supervision.

Nevertheless, the following recommendation was formulated:

- ✿ Ensure that norms and standards for the seed-producing crops and for seeds are harmonised with EU requirements as required by Article 2(1) of Council Directives 66/401/EEC and 66/402/EEC.

On 24 June 2016, Brazil answered to the recommendations of the audit reports. The Decision on EU equivalence is pending.

The stakeholder consultation has been opened from July 25, 2017 to August 22, 2017. ESA has given its feedback by supporting the initiative of a decision of the European Parliament and of the Council on the recognition of equivalence of Brazilian provisions with regard to certification of fodder plant and cereal seed. The legal act is on its way to the Council and the Parliament for the co-decision procedure.

Ukraine

On 6 April 2011 Ukrainesent an official request to the European Commission for EU seed equivalence for:

- ✿ Cereal seed (66/402/EEC),
 - in regard of their production of
 - Oats (*Avena sativa* L.),
 - Barley (*Hordeum vulgare* L.),
 - Wheat (*Triticumaestivum* L.),
 - Durum wheat (*Triticum durum*Desf.),
 - Rye (*Secalecereale* L.),
 - Triticale (x*Triticosecale*Wittm. ex A. Camus)

- Sorghum (*Sorghum bicolor* (L.) Moench),
- Maize (*Zeamais* L.)

The audit took place in Ukraine from 26 May 2015 to 04 June 2015.

In the report (DG(SANTE) 2015-7641 - MR), it was concluded that overall, official controls for seed production and certification of cereal seeds in Ukraine are organised appropriately.

Nevertheless, the following recommendation was formulated:

Ensure that norms and standards for the cereal seed-producing crops and for seeds are harmonised with EU requirements as required by Article 2(1) of Council Directive 66/402/EEC.

On 16 September 2015, Ukraine answered to the recommendations of the audit reports. The Decision on EU equivalence is pending.

The equivalence for Ukraine is still on hold awaiting the political greenlight in the framework of the negotiations related to the Deep and Comprehensive Free Trade Agreement with Ukraine.

Senegal

In May 2016, Senegal sent an official request to the European Commission for EU seed equivalence for:

- ✿ Cereal seed (66/402/EEC),
 - in regard of their production of
 - Rice (*Oryza sativa* L.),
 - Sorghum (*Sorghum bicolor* (L.) Moench),
 - Maize (*Zeamais* L.)

The case of Senegal is in hold-on mode because the EU Commission is waiting for them to provide the complete set of legislation of the seed sector.

Bolivia

In January 2016, Bolivia sent an official request to the European Commission for EU seed equivalence for:

- ✿ Cereal seed (66/402/EEC),
 - in regard of their production of
 - Sorghum (*Sorghum bicolor* (L.) Moench),
 - Maize (*Zeamais* L.)

Bolivia has been confirmed and the mission will take place around March 2018.

India

India sent an official request to the European Commission for EU seed equivalence for all agricultural and vegetable species. The audit of the EU Commission has not been planned yet.



Any facts, information, arguments, etc useful to lobby the European Commission on EU seed Equivalence are welcomed
