



# ESA NEWSLETTER

March 2009

## External Meetings (selected)

- **30.03.-02.04.2009**  
**UPOV TWGs/CAJ**  
**Geneva, SUI**
- **31.03.-08.4.2009**  
**7<sup>th</sup> ABS WG**  
**Unesco**  
**Paris, France**
- **21.04.2009**  
**CPVO experts**  
**DUS oilseed rape**  
**La Minière, France**
- **29.04.2009**  
**ETTS – BSPB**  
**meeting**  
**UK**
- **04.-07.05.2009**  
**EP Plenary**  
**Strasburg, France**
- **06.-07.05.2009**  
**BDP An. Meeting**  
**Bad Nenndorf, D**
- **14.05.2009**  
**BSPB An. Meeting**  
**Newby Bridge, UK**

Dear Members,

Following the press conference on GMOs on March 2<sup>nd</sup> (v. last edition of the ESA Newsletter), the “European Conference on Ensuring Seed Availability in the 21<sup>st</sup> Century” held in Brussels on 18.3.2009 was the second large scale event for our association in the last month.

The conference marked the end of the evaluation phase of the Better Regulation process for the seed marketing Directives and is considered as a ‘dissemination’ event informing stakeholders as well as the wider public on the outcome of the work so far (for further information and technical details on how to access the presentations given, please v. the short report on page 2).

In the run-up to the conference, we have assured that the European seed industry was well represented and indeed, a large delegation of around 40 members from ESA and its national associations was attending the meeting.

But what has been the outcome of the conference? This is indeed quite difficult to judge, and maybe especially for those that have been present. First of all, the presentations confirmed the well-known positions, in particular of the ‘real’ stakeholders, i.e. farmers and breeders. Both are (by and large) content with the existing legal framework and wish to see improvements (specifically as regards efficient administration and better governance) while maintaining the pillars of the system. So here the message was: evolution, not revolution. And the sector also quite clearly voiced its opposition to further limitations via compulsory authorisation procedures for food or environmental safety or specific breeding technologies. In view of the proven track record, none of the speakers saw any need for further obligations or legislation in this area.

It is therefore the more disappointing that the summarizing conclusions presented by the Commission (and communicated by its Press Service) are drawing a slightly different picture. Here, the need for addressing new priorities such as genetic / bio-diversity, organic farming, environmental safety and new breeding techniques were underlined rather than the need for a modernisation of the Commission’s consultation and decision making process, the future role of the CPVO, e.g. for a more cost-effective administration of the Common Catalogue and other, quite practical improvements.

So it will remain important to closely monitor and accompany the further BR process to assure that the course is not set for the wrong direction. The Commission will now start its more detailed planning as well as the work on the required economic impact assessment before possibly presenting first proposals end of 2010 or early 2011. While this seems a long time down the road, it is very important to assure that things don’t start of the wrong way – so we have to stay vigilant in defending the interest of Europe’s seed industry. And that is exactly what we shall do!

With best regards, yours

Garlich v. Essen, Secretary General



### **ESA Meetings**

**(all meetings at the  
ESA Office unless  
indicated  
otherwise)**

- **06.04.2009  
Executive Com.**
- **07.04.2009  
ESA SPO  
c/o Danespo, DK**
- **15.04.2009  
ESA TF FSS**
- **21.04.2009  
CRLA Conf. call  
(tbc)**
- **22.04.2009  
ESA SOF  
c/o NPZ  
Hohenlieth, D**
- **23.04.2009  
ESA WGB**
- **24.04.2009  
CIPR Conf. call**
- **24./27./29.04.2009  
STAT WG Dust  
(tbc)**
- **28.04.2009  
ESA WGBT  
~~CANCELED~~**
- **14.05.2009  
ESA WGBT  
NEW DATE**

### **The European Seed Conference on 18.03.2009 - next step of the Better Regulation process for seed marketing legislation**

The European Commission held its high level seed conference on 18.03.2009 to present the conclusions and final report of the evaluators on the Better regulation initiative for the seed marketing legislation (see also comment from the SG in this Newsletter). Next to an extensive overview on the BR process and its findings by the evaluator, the programme included presentations from representatives of Member States, third countries, the European Parliament, farmers and seed industry. In total, almost 200 seed experts from Europe and a number of important third countries and parties were present.

If you are interested to view more information the conference, please go to the following link: [http://ec.europa.eu/food/dyna/seed\\_conf/index.cfm](http://ec.europa.eu/food/dyna/seed_conf/index.cfm)

Next to programme and background, all presentations given at the conference are available for download. The original presentation of the SG on the point of view of the seed industry can also be obtained directly from the SEA Secretariat. (vE)

### **UPOV spring meetings in Geneva**

From March 30 – April 2 the annual meetings of the Technical Committee (TC) and the Committee for Administrative and Legal Affairs (CAJ) took place in Geneva. Two TGP documents were approved and adopted as well as a large number of UPOV Technical Protocols including the one for maize. The CAJ also approved explanatory notes on possible measures for the enforcement of breeders' rights. In this document a provision was introduced enabling authorities to provide the holder of the breeder's right information regarding propagating material of his varieties. This provision can be of help in relation to the use of FSS. This time also the BMT review group met to discuss the so-called maize proposal of GEVES regarding the integrated use of molecular information and phenotypical characteristics in the handling of the reference collection of maize inbred lines. It was concluded that the method as presented is acceptable within the terms of the UPOV Convention and that it does not undermine the effectiveness of protection offered by the UPOV system. This decision allows the further development of the system which is clearly in the interest of breeders. (BS)

### **Seminar on the enforcement of Intellectual Property Rights in Sofia**

As follow up of the CPVO seminar in Bulgaria in 2008 a national seminar was organised by the Bulgarian authorities on March 17 2009 focussing on royalty collection of Farm Saved Seed. B. Scholte was invited to give a presentation during this event. Some 30 participants attended the seminar representing official services, farmers organisations, seed producers and breeders. The example of the Czech royalty collection and other collection systems were discussed in detail. Overall it can be concluded that all parties in Bulgaria are interested to continue the discussion and to come in the near future to a pragmatic solution for the collection of royalties on FSS. (BS)



### **New horizontal ESA ad-hoc brainstorming group on dust**

At its meeting on 19 March 2009, the ESA Board sustained the need for ESA to remain pro-active in addressing the problematic of dust from treated seed. The Dust Working Group (DWG) should therefore continue its technical work as appropriate, while a new Ad Hoc horizontal group is being set up with the task to develop a common approach on quality standards for treated seed. All Sections for which the issue is relevant will be represented by experts appointed by seed companies from the respective ESA crop sections. Alike the DWG, this new group will report directly to STAT (Seed Treatment Application Technologies). Following finalization of the terms of reference, the ESA Secretariat will invite the experts for a first brainstorming session early May 2009 with the objective to conclude the work before summer. (IK)

### **Sabine Bausch joins ESA team**

On 6.4.2009, Mrs Sabine Bausch has joined the ESA team at the Brussels office. Sabine is German and comes with a degree in languages and business administration obtained through an integrated programme at three Universities in Germany, France and the UK. Next to her German mother tongue, she is fluent in both French and English and also speaks Spanish which she brushed up during a recent trip to South America.



During and following her studies, Sabine has obtained practical work experience in several companies such as Daimler, Renault etc.. In the ESA team, Sabine will mainly work on the horizontal planning, management and follow-up of the activities of the whole team and support the SG. We are looking forward to work with Sabine and welcome her to our association! (vE)