



# ESA NEWSLETTER

November 2009

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## ESA Meetings (selected)

- **03.12.2009**  
**WGB Meeting**
- **08.12.2009**  
**WGBT Conf. Call**
- **08.12.2009**  
**SFG WG Illegal Seed Conf. Call**
- **09.12.2009**  
**SPO Meeting**
- **17./18.12.2009**  
**WGPH Conf. Call (to be confirmed)**
- **21.12.2009**  
**TF FSS Conf. Call**
- **21.12.2009**  
**SVO Lead Pers. Conf. Call**

Dear Members,

Finally, the new Commission is taking shape with the indicative attribution of portfolios to individually designated Commissioners. While some rumours had persisted over the past weeks and months, many new names were circulated and numerous probable combinations of names and subjects discussed and analysed.

What is the final score? And what could it mean for the agri-food sector and specifically the seed industry? Well, there are a number of important points to highlight:

Most importantly, the responsibility for plant related legislation will be bundled in DG SANCO with the Unit for Biotechnology, Pesticides and Health which was part of DG Environment being transferred to DG SANCO. Here, we already have a Unit for Plant Health (headed by Dorothee André) and a Unit for Pesticides (headed by Michael Flüh) which very likely will take over the dossiers and responsibilities that formerly were assigned to DG ENVI. Whether or not (and if yes, how) this will involve new or existing staff is still open and will be decided only within the coming days and weeks. But in principle, this seems a very logic and proper decision that should be welcomed by our sector. The split between SANCO and ENVI has led to numerous delays and counterproductive inconsistencies in policy and administration in the past, specifically in the area of biotechnology and most recently on the question of definition of new breeding technologies. The new concentration of responsibilities in one Directorate General, under one Commissioner and possibly within a single Directorate could certainly bring more consistency and help to develop and implement a strategic policy for seed and green biotech. Of course, a lot will depend on the new Commissioner, Mr John Dalli, from Malta and on his personal team (Cabinet) which is still to be named. A veteran politician, Member of the EPP-ED group (Conservatives and Christian Democrats) and former Minister for Foreign Affairs and Social Policy, he is also a qualified accountant and has worked in industry and as a private consultant.

Next to him, the new Commissioners for Agriculture (Dacian Ciolos, Romania), Environment (Janez Potocnik, Slovenia) and Climate Action (Connie Hedegaard, Denmark) will surely be important actors for many of the files related to our industry. Of course, this is all subject to the approval of the new designated Commissioners by the European Parliament. Hearings of Commissioners before the related EP Committees will take place in January 2010 and –provided all goes well- the new Commission will officially take office by the end of that month.

We will watch hearings and political statements closely and provide all Members with a comprehensive analysis of Commissioners and Cabinets in due course.

With best regards, yours

Garlich v. Essen, Secretary General



## **Fleuroselect Breeders' Conference: Plant gene patents and breeders' exemption...will there be a conflict? (5-6 November 2009, Düsseldorf)**

On behalf of ESA, Szonja Csörgő attended the two-day Breeders' Conference organised by Fleuroselect and focussing on the topic of intellectual property protection for ornamental plants. Amongst others, presentations covered the current legal framework and practice (EPO by Jürg Bilang, UPOV by Rolf Jördens etc.) as well as different views and approaches of industry actors (Rijk Zwaan by Marian Suelmann, Syngenta/Crop Life by Ralf Badur, BDP by Christoph Herrlinger etc.). Besides the interesting issues presented by the speakers, the conference gave rise to an intensive and fruitful discussion on actual and potential concerns faced by the ornamental breeding sector and resulted in exciting ideas concerning future perspectives and potential solutions. (SzCs)

### **External meetings**

(selected)

- **01.-02.12.2009**  
**EFSA**  
**Consultative**  
**Platform,**  
**Parma (IT)**
- **01.-02.12.2009**  
**CPVO DUS expert**  
**meeting**  
**vegetables**  
**Angers (F)**
- **01.12.2009**  
**ELO - The**  
**European**  
**Biodiversity**  
**Conference**  
**Brussels (BE)**
- **04.12.2009**  
**IP Protection for**  
**Plant Innovation**  
**2009**  
**Amsterdam (NL)**
- **14.12.2009**  
**Meeting Coceral**  
**on mycotoxins**  
**Brussels (BE)**
- **15.12.2009**  
**SFG - DUS**  
**grasses**  
**Paris (F)**

### **Visits to ESA Members**

On November 16, 2009 Szonja Csörgő visited Rijk Zwaan in De Lier (NL) and Plantum NL in Gouda (NL). The visit started in Rijk Zwaan in the morning with a short presentation of the company by Mrs. Marian Suelmann, head of Rijk Zwaan's legal department, Chairperson of the Committee Intellectual Property Rights (CIPR) within ESA and member of the ESA Board. The visit continued by an extensive study-tour in the seed cleaning facilities and in the phytopathology centre of Rijk Zwaan and concluded by a bilateral discussion with Mrs. Suelmann covering current discussions within the CIPR and a wide range of intellectual property issues.

In the afternoon Szonja Csörgő visited Plantum NL where she was introduced to most of the Plantum staff and got an insight to the operation of the association. Issues related to biodiversity and to recent negotiations on access and benefit sharing were discussed with Mrs. Anke van den Hurk, member of the ESA working group on biodiversity and of the Committee Legal and Regulatory Affairs, and an exchange of views on legal questions with a special focus on intellectual property rights took place with Mrs. Judith Blokland, in-house lawyer of Plantum NL. At the end of the visit Mr. Aad van Elsen, managing director of Plantum NL and member of the CIPR, the ESA Board as well as the ESA Executive Committee, gave an overview on the work of Plantum NL. Both visits provided an excellent experience. (SzCs)

### **OECD meetings – November 3-6**

In the first week of November the OECD Extended Advisory Group met in Paris in preparation of the OECD Annual meeting in spring 2010. The meeting was organised in conjunction with the Working Group on Varietal Identity and Purity and ad-hoc Working groups regarding the possible review of the OECD vegetable seed scheme and certification of seed for trial. The meetings were well attended by some 55 experts from 27 countries and observers from ESA, ISF, ISTA and UPOV. The following items of interest were discussed:



- **Possible review of the OECD vegetable seed scheme**

France has proposed to review the schemes for standard seed of vegetable species as requested by some companies due to the requirements in certain countries as Serbia, Russia and Ukraine but also Morocco and Egypt to provide OECD certificates for import.

The experts discussed the proposal in detail and questioned the proposal as it was not clear what exactly was needed and that more information was needed about the domestic markets and the difficulties seed companies are facing. It was agreed to re-formulate the terms of reference of the WG. ISF/ESA agreed to check with their members to obtain more precise information. (BS)

- **Certification of seed for trials**

Following a proposal from the USA it was agreed to elaborate on a proposal for OECD certification of seed of varieties already undergoing variety registration similar to the “orange tag” system in the EU for varieties not yet listed. The terms of reference of this WG will be revised accordingly and further discussed in March 2010. (BS)

- **VCU in OECD Schemes**

Interesting presentations were given regarding VCU by Italy and Denmark. It appeared that also in India and Kenya obligatory VCU testing systems are in place. On the proposal of the Commission it was agreed to continue the discussion regarding the VCU requirement for OECD listing and to have presentations from other parts of the world on this issue. During the OECD Annual Meeting in March 2010 ISF will give a presentation regarding VCU. ESA will give input in writing. (BS)

- **Multiplication abroad**

In particular problems were discussed in relation to OECD certification of hybrid seed where frequently one parental line is produced in country A; another parental line might be registered in country B while the seed may be produced in country C whilst the hybrid itself might be produced in country D. This will be further discussed in the future. Also on this point input is expected from seed companies. The issue will be put on the agenda of the respective ESA crop sections. (BS)

## **Visit to ESA Members**

### **Innoseeds**

On November 9 B. Scholte visited Innoseeds in Kapelle (NL). The main purpose for this visit was to discuss the set-up and activities of the Section for Forage crops and Grasses (SFG) with Mr. Gert van Straalen, the new SFG Chairman. (BS)



## **Mustard**

Following the discussion in the Section for Oil and Fibre Crops (SOF) regarding possible illegal activities in relation to mustard seed a meeting was organised in Großburgwedel (Germany). The meeting was attended by representatives from several seed companies, BDP and STV. Specific cases were discussed and concrete actions were agreed upon in preparation of an up-coming meeting with the authorities in Poland. (BS)

## **1<sup>st</sup> Class of European Plant Breeding Academy still accepts applications**

Applications are now being received from around Europe for the first class of the European Plant Breeding Academy. The Academy is designed by the University of California at Davis and supported by the European Seed Association in order to increase the supply of professional plant breeders in Europe. The course is targeted towards personnel currently involved in breeding programs who desire additional training in genetics, statistics, and breeding theory. At the end of the 19 month course, participants will have the skills and knowledge to lead and manage an independent plant breeding program. Participants will meet for six sessions each for six days between March 2010 and September 2011. Sessions will be held in Angers, France; Enkhuizen, the Netherlands; Barcelona, Spain; Gatersleben, Germany and Davis, California.

The class size will be held to 20 participants in order to assure excellent instructor to student and student to student interaction. For more information and to insure placement in Class I please contact Joy Patterson at (530) 752-4414 or [jpatterson@ucdavis.edu](mailto:jpatterson@ucdavis.edu). More detailed information can be found at [www.pba.ucdavis.edu](http://www.pba.ucdavis.edu) (vE)

## **9<sup>th</sup> EESNET meeting held in Krakau**

On 8.-9. November, EESNET (Eastern European Seed Network) held its Annual Meeting in Krakau, Poland. The meeting was attended by some 200 participants and -next to a trade day- focussed on the legal framework for protection of plant breeders' rights (including farm saved seed) and the role of seed associations and proper structures for representation of breeders' interest in politics and administration. For ESA, the secretary General contributed a presentation on the future role and tasks of seed industry interest representations which can be obtained from the Secretariat upon request. (vE)

## **ESA, COPA and ECPA meet with EFSA on Pesticides**

Upon invitation of EFSA, the European Food Safety Authority, ESA together with COPA (EU farmers organisation) and ECPA (EU crop protection industry organisation) met in Parma, Italy, for a first discussion of the future administration and specific requirements for evaluations of active ingredients in the framework of the new EU pesticide legislation. For ESA, the SG underlined the importance of the availability of a sufficient range of crop protection solutions also for small crops and specific productions (seed). It was agreed to continue this informal exchange with experts where required. (vE)



## Food Chain Organisations meet new Members of the European Parliament

On November 17, a number of Food Chain organisations led by COPA-COGECA met with newly elected members of the European Parliament in the EP's premises in Brussels for a first presentation of the agro-food chains policy priorities for the coming term of Commission and Parliament. The meeting which was officially hosted by the Chairs of the EP Committees for Agriculture (Paolo de Castro, MEP) and Environment (Jo Leinen, MEP) was also attended by a representative of the Swedish EU Presidency and further EP staff. (vE)



From left to right: Paulo Gouveia (COPA), Christian Palliere (EFMA), GvE

## SANCO Stakeholder Dialogue Group meeting

The Secretary General was selected as one of the Members of DG SANCO's Stakeholder Dialogue Group (SDG), a group appointed by the Director General of DG SANCO on request of the President of the European Commission which shall advise the Commission on how to conduct stakeholder consultations in the most effective, efficient and still most inclusive way. The group thus mainly focuses on processes, procedures, information and communication tools and activities as well as assessment criteria for good practice in this area.

At a first meeting of the group held on 26. November and chaired by DG Robert Madelin, the SDG concentrated on its work programme for 2010 (the group will meet 4 full days per year) and defined a number of priority areas for further discussion. More information on the SDG can be found on the Commission's website under [http://ec.europa.eu/dgs/health\\_consumer/sdg/group\\_en.htm](http://ec.europa.eu/dgs/health_consumer/sdg/group_en.htm) . Please note that the site is not yet updated following the decision on the new Members. (vE)



## **The Hague Conference on the Future of GMOs in EU agriculture**

The Dutch Ministers for Agriculture and Environment, Gerda Verburg and Jacqueline Cramer, hosted a 2 day international conference on the future of GMOs in European food and agriculture at the Kurhaus Scheveningen on 25.-26. November; the conference was attended by some 250 participants from industry, science, NGOs, national governments and administrations as well as the EU Commission, EFSA and other important actors. In her opening speech, Minister Verburg underlined that the presence of GMOs was rather a matter of 'how' than of 'if', pointing out Europe's strong dependency on GM protein imports for EU livestock production and the reality of GM presence in a multitude of products.

Following general presentations outlining the state of play in science and application worldwide, specific presentations addressed the different aspects of socio-economic analysis which the Dutch Ministry wants to introduce in the further EU debate in 2010. As regards legislation, the SG gave a presentation underlining the legal uncertainty of the seed sector in view of missing thresholds for seed and an unclear policy for low-level presence of GMOs authorised in third countries but not (yet) authorised in the EU (available from the Secretariat upon request). He specifically called upon Ministers to follow-up on the European Seed Industry's 'Call for Action' which had outlined the main requests of the sector.

The full proceedings and presentations will be made available on the website of the Dutch Ministry for Agriculture under the address:

[http://www.minlnv.nl/portal/page?\\_pageid=116,1640393&\\_dad=portal&\\_schema=PORTAL&p\\_document\\_id=111104&p\\_node\\_id=2100602&p\\_mode=BROWSE](http://www.minlnv.nl/portal/page?_pageid=116,1640393&_dad=portal&_schema=PORTAL&p_document_id=111104&p_node_id=2100602&p_mode=BROWSE)

Please note that the site has not yet been updated with this information . (vE)

## **Second Food Chain Workshop on Minor Uses**

On November 4<sup>th</sup>, COPA, ECPA and ESA together with a number of other Food Chain organisations organised the second workshop on "Minor Uses and speciality crops" and plant protection products at the COPA premises in Brussels. The workshop followed up on a similar event organised during the discussion of the new draft pesticide legislation in 2007/2008. Now, after the publication of the final new legal text, the food chain partners again underlined the specific need for addressing the issue of minor use applications and respective specific authorisation requirements with representatives of the European Commission (DG SANCO), EFSA, the European Parliament and numerous other stakeholders (food processors and retailers). During the panel discussion, the SG pointed to the improvements obtained with the new legal framework but also stressed that more must be done to prevent that many active substances which are of specific importance for minor uses may disappear. He specifically called upon the Commission to start its assessment of the feasibility of a special fund for minor uses as provided for in the new legal framework. More information can be found on the ESA Website under News / Archive. (vE)

**Next ESA Newsletter to be published on 21.12.2009**