

# REFORM OF THE EU SEEDS MARKETING FRAMEWORK : An Introduction

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Webinar Workshop on EU Seed marketing laws - January 2021

*ARCHE NOAH Project "Gemeinsam Vielfalt befreien", with the kind support of the Software AG Stiftung*



# REFORM OF THE EU SEEDS MARKETING FRAMEWORK : An Introduction

## WHY ARE WE HERE TODAY?

14.11.2019

EN

Official Journal of the European Union

L 293/105

### COUNCIL DECISION (EU) 2019/1905

of 8 November 2019

requesting the Commission to submit a study on the Union's options to update the existing legislation on the production and marketing of plant reproductive material, and a proposal, if appropriate in view of the outcomes of the study

#### Article 1

The Council requests the Commission to submit, by 31 December 2020, a study on the options to update the existing legislation on the production and marketing of plant reproductive material.

#### Article 2

1. The Council requests the Commission to submit a proposal, if appropriate in view of the outcomes of the study, or otherwise to inform the Council of alternative measures required as a follow-up to the study.
2. In accordance with the usual practice, the Council requests the Commission to ensure that the proposal is accompanied by an impact assessment.

# REFORM OF THE EU SEEDS MARKETING FRAMEWORK : An Introduction



***EU INSTITUTIONS &  
PROCESS***



***"EU LAW OF THE SEED"  
POLICIES & ACTORS***



***SEEDS MARKETING  
ACQUIS TODAY***



# EU INSTITUTIONS & PROCESS

## EUROPEAN COMMISSION

- promotes common interest
- Initiative & implementation law

Ursula von der Leyen



## EUROPEAN COUNCIL

- voice of the Member States (heads of State)
- Co-legislator

Charles Michel



David Sassoli

## EUROPEAN PARLIAMENT

- voice of the people (direct elections)
- Co-legislator



European Commission

The Council of the EU

European Council

Decision

Guidance



European Parliament

European Court of Justice

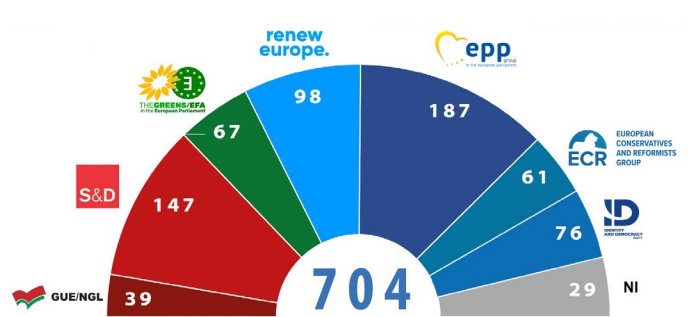


Advice



Economic and Social Committee

Committee of the Regions





# EU INSTITUTIONS & PROCESS

**CO-DECISION**



Impact Assessment

Consultation

**EUROPEAN COMMISSION**  
Makes a proposal to EP & EC



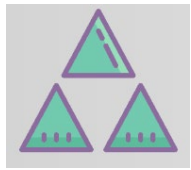
**EUROPEAN PARLIAMENT**  
1st or 2nd Reading  
Votes on a report



**COUNCIL OF MINISTERS**  
1st or 2nd Reading  
Elaborates a "general approach"

Committee discussions,  
report & vote

Plenary vote



**"Trilogue"**

Tripartite "institutional agreement"

Working Party discussions, COREPER

Council "general approach"

Vote EP & Council

**NATIONAL AUTHORITIES (or THE COMMISSION)**  
Implement legislation (enforce subsidiarity)



**EUROPEAN COMMISSION & COURT OF JUSTICE**  
Monitor implementation



# “LAW OF THE SEED”

Farmer/peasant rights to seeds  
UNDROP



**BIODIVERSITY CONSERVATION**

Stop depletion - RESTORATION  
CBD – ITPGRFA - EU BIODIVERSITY STRATEGY

GENETIC RESOURCES

**RESEARCH & DEVELOPMENT**

ABS Access to GR - Fair & equitable sharing  
NAGOYA – ITPGRFA – EU ABS REGULATION

PROJECT SUPPORT  
HORIZON EUROPE

Exclusive rights to PROTECT INNOVATION (IPR)  
EUROPEAN PATENT CONVENTION  
UPOV – CPVO REGULATION

**FOOD SAFETY & Risk Assessment GMO's**  
CARTAGENA - EU GM DIRECTIVE

**“SUSTAINABLE USE” IN FIELDS (& GARDENS ?)**

CULTIVATION & Direct/Indirect support  
COMMON AGRI POLICY

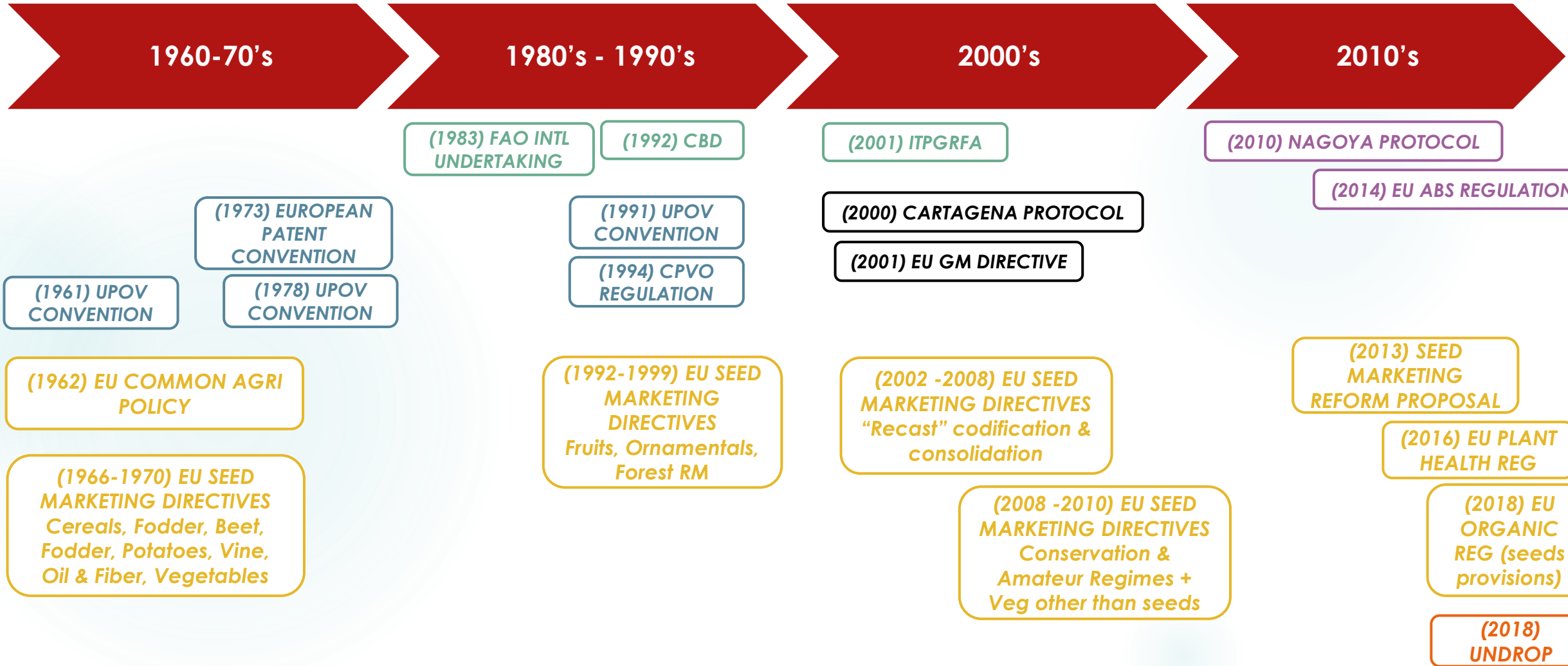
MARKET ACCESS for seeds  
EU SEED MARKETING DIRECTIVES  
EU ORGANIC REGULATION

Procedures & criteria to ensure SEED HEALTH  
EU SEED MARKETING DIRECTIVES  
EU PLANT HEALTH REGULATION





# “LAW OF THE SEED”





# EU "LAW OF THE SEED" Actors

EUROPEAN COMMISSION 



**DG SANTE**

ITPGRFA

EU SEED MARKETING DIRECTIVES

EU PLANT HEALTH REGULATION

CARTAGENA - EU GM DIRECTIVE

UPOV - CPVO REGULATION

UNDROP



**DG AGRICULTURE**

GENETIC RESOURCES

COMMON AGRI POLICY

ORGANIC REGULATION

UNDROP

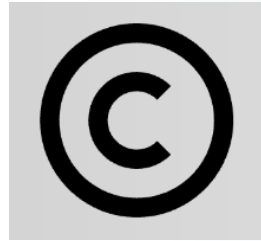


**DG ENVIRONMENT**

CBD - EU BIODIVERSITY STRATEGY

NAGOYA - EU ABS REGULATION

UNDROP



**DG INTERNAL MARKET**

EUROPEAN PATENT CONVENTION

UNDROP



**DG RESEARCH**

HORIZON EUROPE

UNDROP





# EU "LAW OF THE SEED"

## Actors

EUROPEAN COMMISSION



KYRIAKIDES (CYP)



DG SANTE

ITPGRFA

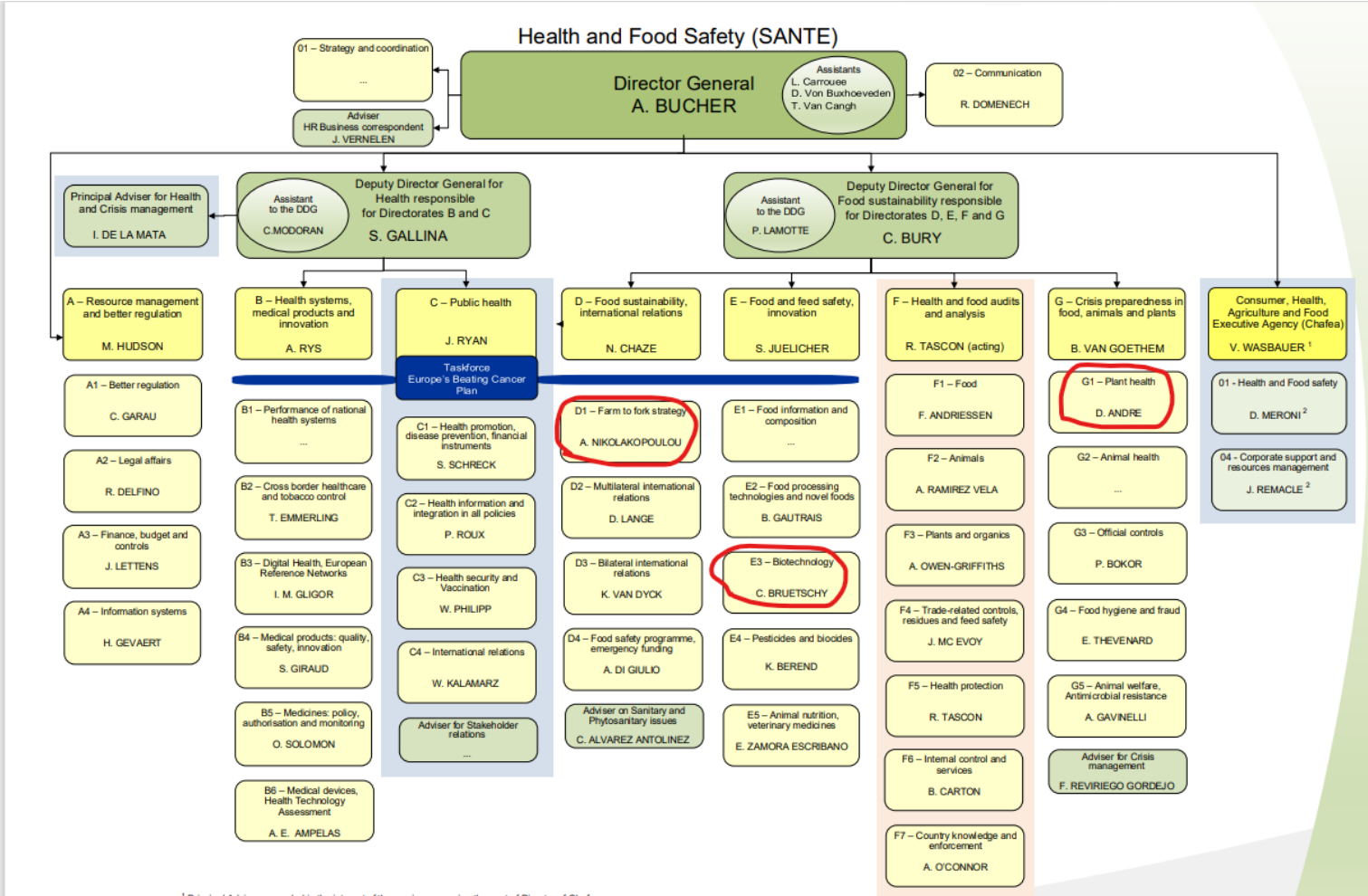
EU SEED MARKETING DIRECTIVES

EU PLANT HEALTH REGULATION

CARTAGENA - EU GM DIRECTIVE

UPOV - CPVO REGULATION

UNDROP



<sup>1</sup> Principal Adviser responsible in the interest of the seed sector, currently the post of Director of Choice.



# EU “LAW OF THE SEED” Actors

EUROPEAN PARLIAMENT



## AGRICULTURE COMMITTEE



LINS (DE)

ITPGRFA

GENETIC RESOURCES

UPOV – CPVO REGULATION

COMMON AGRI POLICY

ORGANIC REGULATION

EU PLANT HEALTH REGULATION

EU SEED MARKETING DIRECTIVES

## ENVIRONMENT COMMITTEE



CANFIN (FR)

CBD – EU BIODIVERSITY STRATEGY

NAGOYA – EU ABS REGULATION

CARTAGENA - EU GM DIRECTIVE

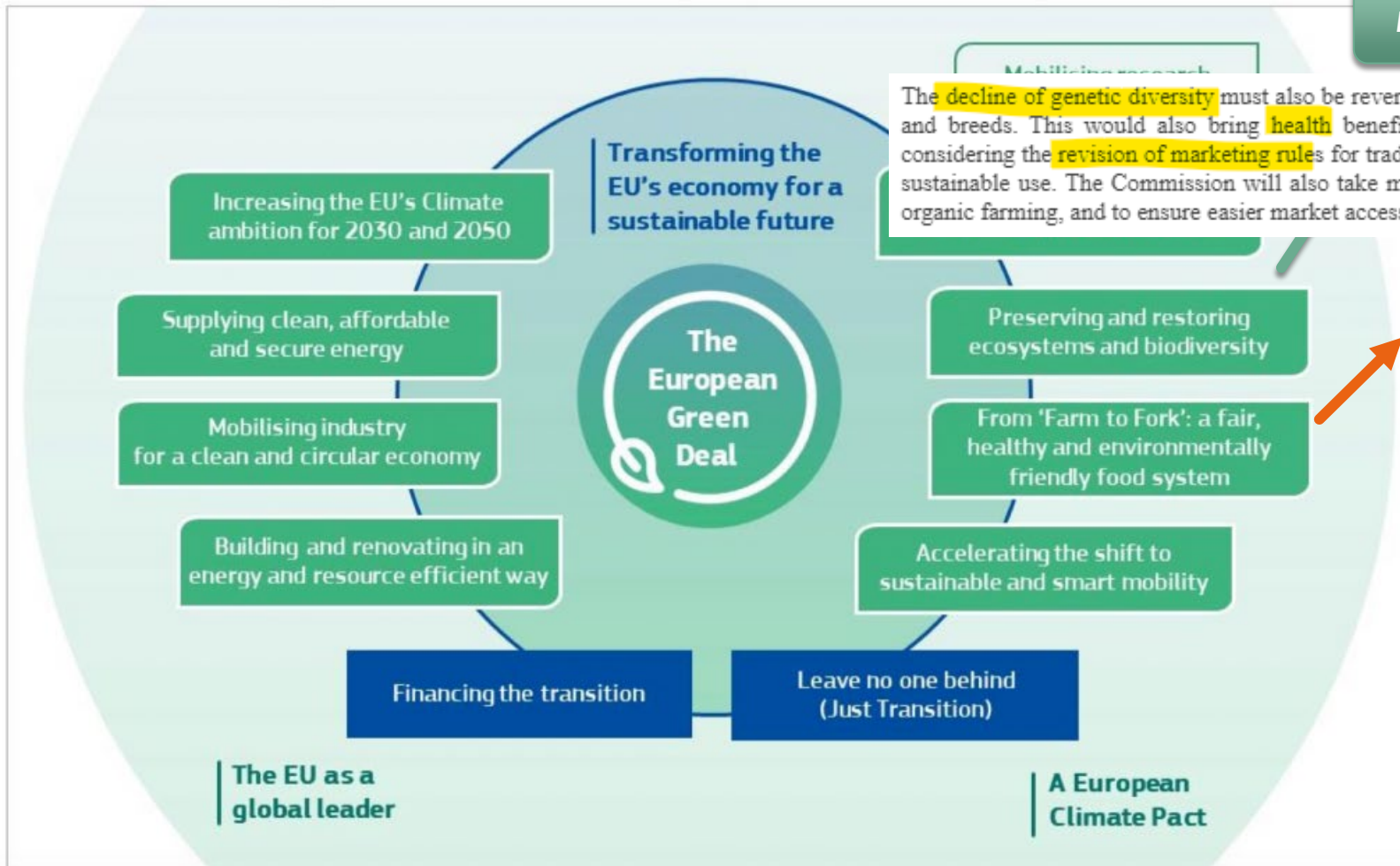
COMMON AGRI POLICY

EU SEED MARKETING DIRECTIVES ?



# EU "LAW OF THE SEED" Framework

## OVERARCHING EU FRAMEWORK : European Green Deal



*Biodiversity Strategy 2030*

The decline of genetic diversity must also be reversed, including by facilitating the use of traditional varieties of crops and breeds. This would also bring health benefits through more varied and nutritious diets. The Commission is considering the revision of marketing rules for traditional crop varieties in order to contribute to their conservation and sustainable use. The Commission will also take measures to facilitate the registration of seed varieties, including for organic farming, and to ensure easier market access for traditional and locally adapted varieties.

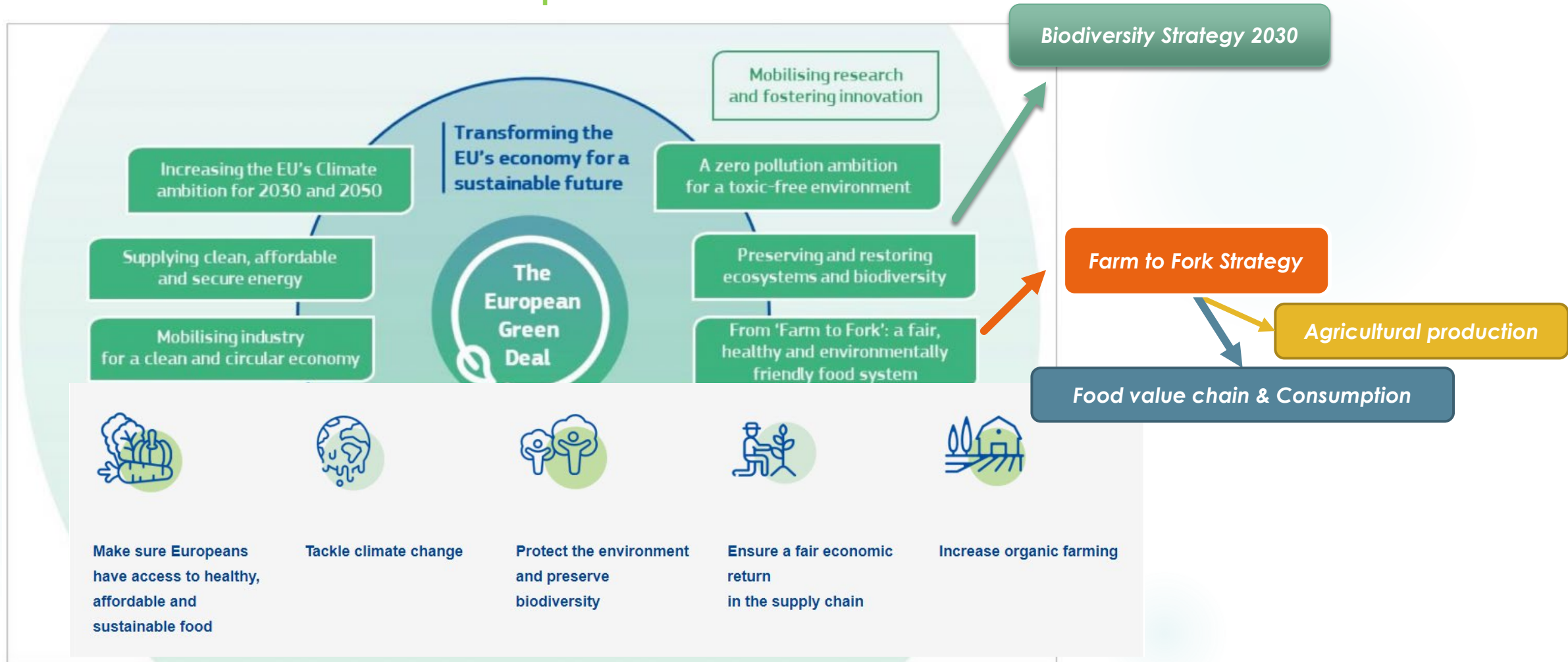
*Farm to Fork Strategy*





# EU "LAW OF THE SEED" Framework

## OVERARCHING EU FRAMEWORK : European Green Deal







# EU "LAW OF THE SEED" Framework

## OVERARCHING EU FRAMEWORK : European Green Deal



Climate change brings new threats to **plant health**. The sustainability challenge calls for measures to protect plants better from emerging pests and diseases, and for innovation. The Commission will adopt rules to **reinforce vigilance** on plant imports and surveillance on Union territory. **New innovative techniques**, including biotechnology and the development of bio-based products, may play a role in increasing sustainability, provided they are safe for consumers and the environment while bringing benefits for society as a whole. They can also accelerate the process of reducing dependency on pesticides. In response to the request of Member States, the Commission is carrying out a study which will look at the potential of new genomic techniques to improve sustainability along the food supply chain. Sustainable food systems also rely on **seed security and diversity**. Farmers need to have **access to a range of quality seeds** for plant varieties adapted to the pressures of climate change. The Commission will take measures to **facilitate the registration of seed varieties**, including for **organic farming**, and to ensure **easier market access for traditional and locally-adapted varieties**.



Make sure Europeans have access to healthy, affordable and sustainable food



Tackle climate change

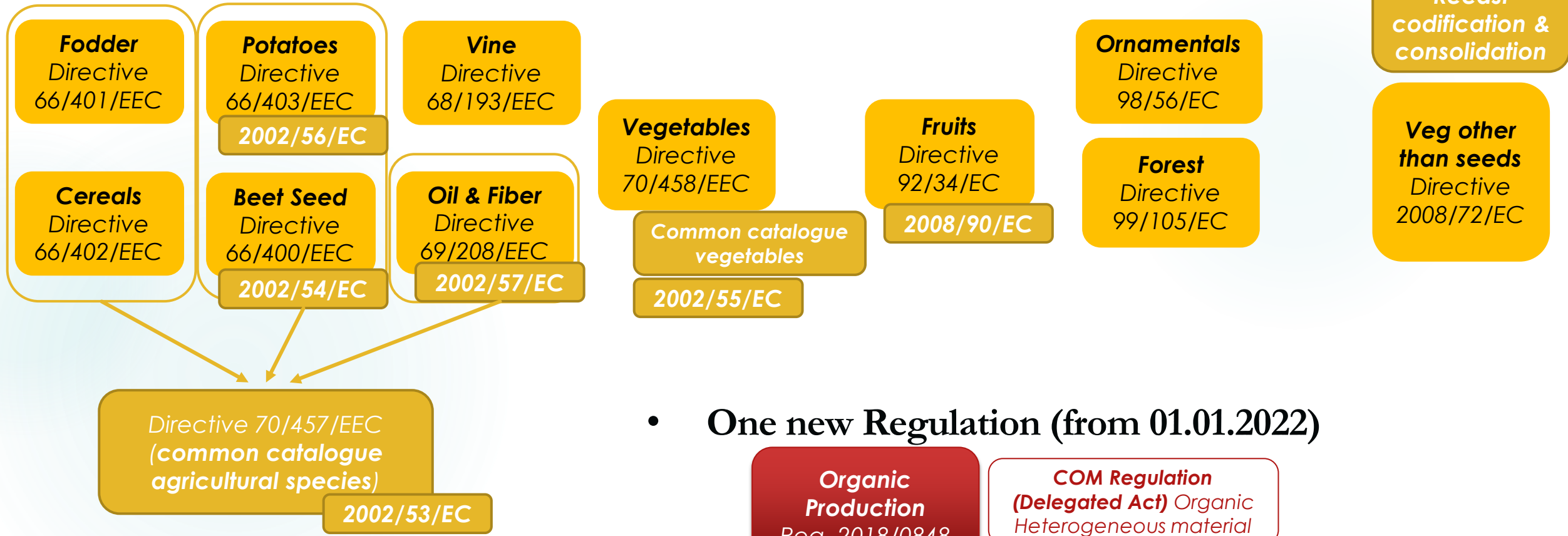


Protect and promote biodiversity



# EU SEEDS MARKETING ACQUIS

- 12 Directives at EU level



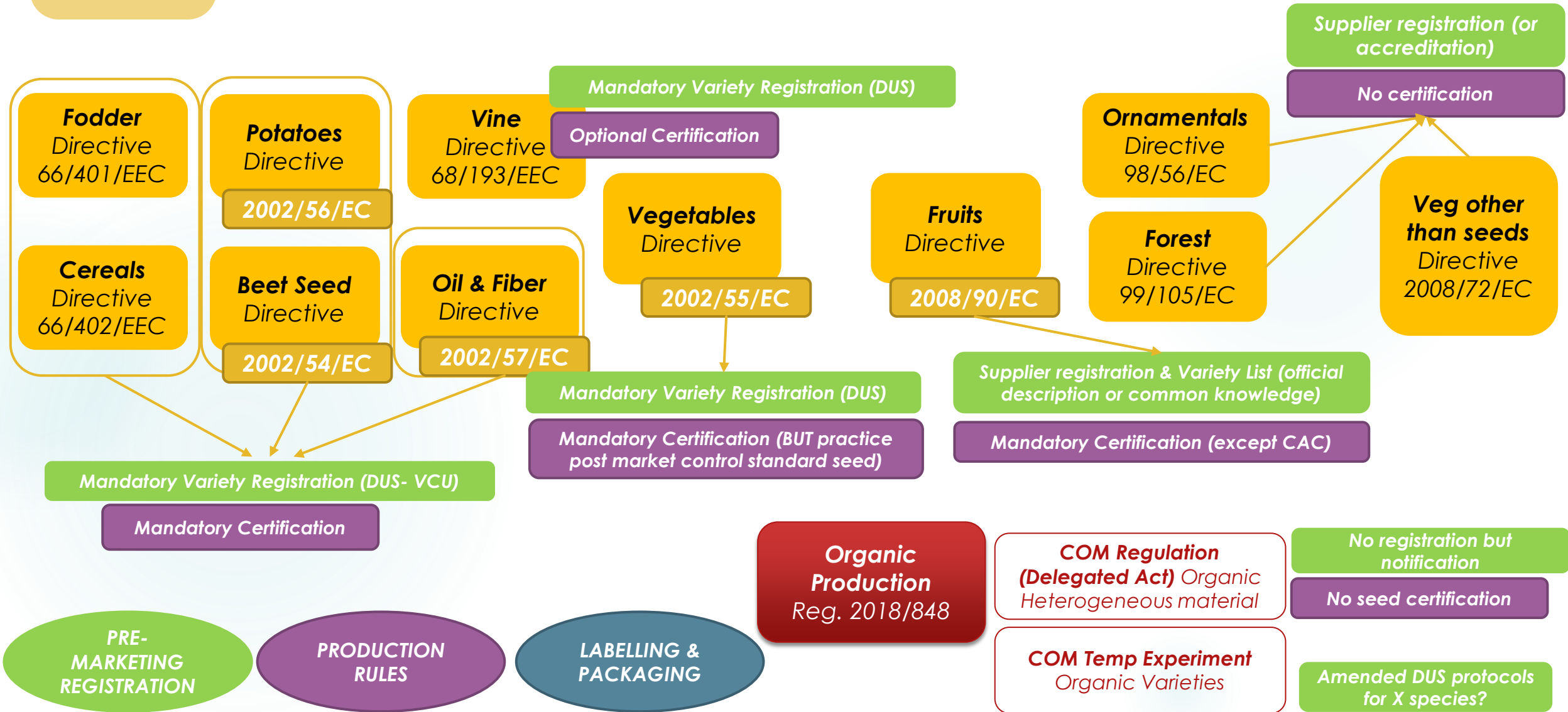
- One new Regulation (from 01.01.2022)





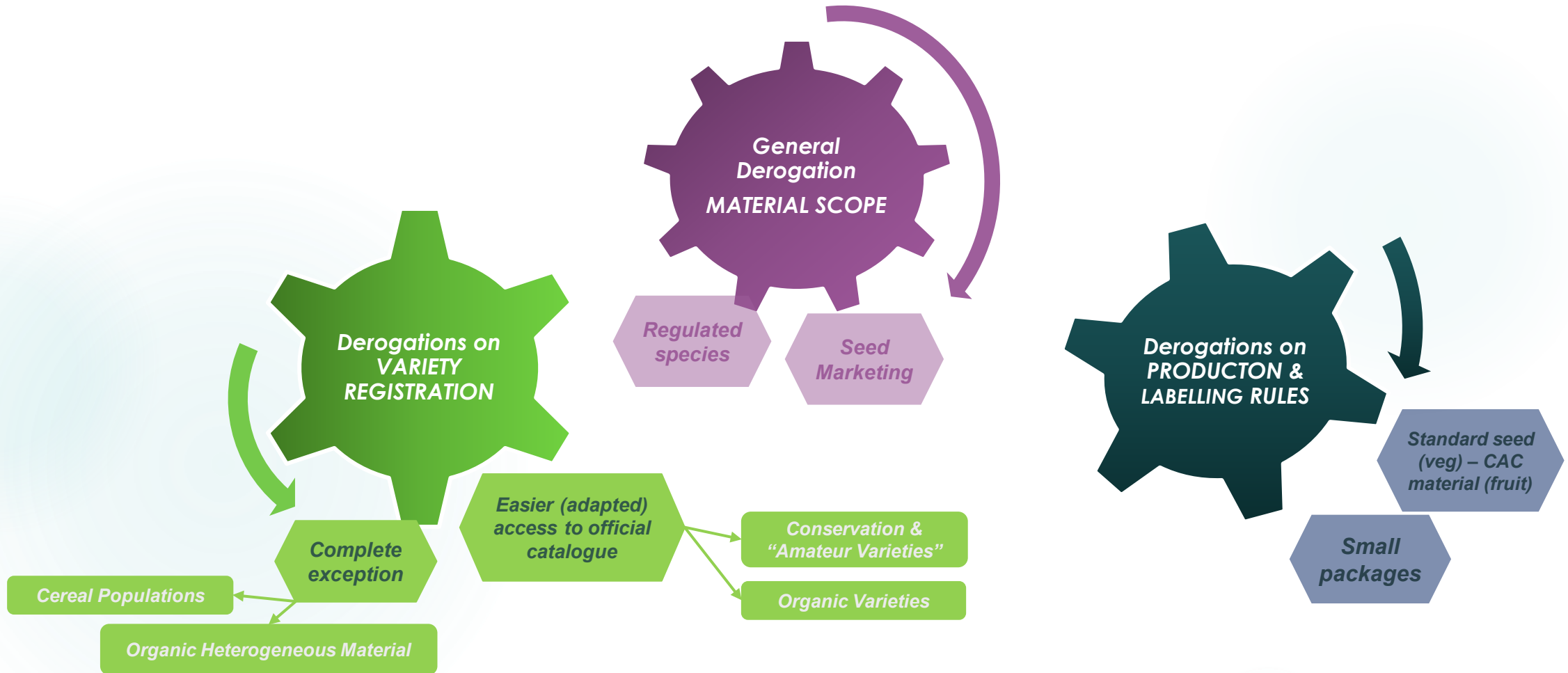


# EU SEEDS MARKETING ACQUIS





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**Summer 2020**  
*ICF Consulting  
contracted for STUDY*

**September 2020**  
*Few scoping  
interviews*

**November 2020**  
*Study on Gardeners  
Study on Maintainers  
Additional interviews*

**January 2021**  
*Questionnaire to confirm  
/affirm results*

**April 2021?**  
*Publication study?  
Options for reform?  
Full or partial Impact  
assessment?*

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