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INFORMATION MEMO

Commission's first proposals concerning seeds and seedlings  
for agriculture and forestry

The EEC Commission has recently proposed to the Council of Ministers the five draft directives dealing with agricultural and sylvicultural seeds and seedlings.

These directives concern the marketing of:

- (a) beet seed,
- (b) forage seeds,
- (c) cereal seeds,
- (d) seed potatoes,
- (e) seeds and seedlings for use in forestry.

The chief aim of these directives is to ensure that agriculture and forestry are supplied only with seeds and seedlings which can be expected to have important advantages as to reliability of performance and suitability for the grower's purpose.

The directives are also designed to harmonize laws and regulations on seeds and seedlings, eliminating to a great extent the qualitative restrictions still applying to trade in these articles between Member States.

The directives are based on the principle that marketing in the producing State or other States of the Community will be permissible for the most important species of seeds and seedlings only if they comply with the quality requirements outlined in the directives. This means that seeds and seedlings used in agriculture must be officially checked and certified as regards their trueness to varietal name (genetic value) and their external characteristics. Forestry seeds and saplings must also meet certain requirements concerning the genetic value of the basic material, that is to say of the parent trees or of the clone. For the time being no requirements are laid down concerning external characteristics.

For agricultural seeds and seedlings reference has been made to concepts already introduced on the international plane, i.e. "basic seeds" and "certified seeds". The basic seed, as the foundation of all production of seedlings and seeds, must have been produced under the responsibility of a plant-breeder (whose work is fundamental to all crop-raising) and following the rules of systematic reproduction

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as regards the varieties to be produced. Furthermore, this basic seed must attain certain minimum standards and be intended for the production of certified seed. Certified seeds and seedlings must, in principle, be the direct progeny of officially certified basic seed, fulfil certain minimum requirements and be intended for the growing of crops. For commercial forage seeds, however, certain temporary exceptions must be allowed (the guarantee would apply only to conformity with varietal name) since there are not yet satisfactory varieties of seeds for all the important forage plants.

In order to ensure that agriculture is supplied with seed which is in actual fact checked and officially certified, that is to say in order to guarantee conformity to varietal name, it is proposed to introduce common rules on packaging, official sampling, and official closing and sealing.

Seed which meets all the requirements of the directives may be subjected only to the marketing restrictions laid down or allowed under the Community regulations, without prejudice to the provisions of Article 36 of the Rome Treaty (right of the Member States to promulgate prohibitions or restrictions in respect of importation, exportation or transit which are justified on grounds of the protection of human or animal life or health, or the preservation of plant life).

During an initial stage, one of the restrictions allowed must be that the Member States may limit the marketing within their territory of seeds and seedlings to those varieties which, in their view and according to their experience, can be profitably grown in the country. This will apply until such time as a Community catalogue of varieties has been established.

Independently of the catalogues of varieties, the Member States will have to establish lists of varieties the seeds of which may be certified in their territory. Before inclusion on these lists, checks will have to be made on the living plant as regards the possibility of distinguishing it from other varieties and also its trueness to type and its stability.

As regards cereals, beet and forage, it will be possible to certify seeds produced in other Member States or in non-member countries by the direct use of certified EEC basic seeds.

Other seedlings and seeds produced in non-member countries may be dealt with in the same way as seeds and seedlings certified in the EEC area if they offer consumers the same guarantees as to their properties and the examination, safety and verification measures applied in the country of origin.

It is also proposed to establish EEC testing stations for the above-mentioned classes of agricultural products in order to make annual Community checks of seeds and seedlings, including those from non-member countries.

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In the case of seed potatoes only, decisive importance will be attached from the outset to tests of the resulting crop, since the essential criterion here is plant health (particularly resistance to virus diseases). If the progeny of seed potatoes of a given variety, or of those imported from a particular Member State should greatly change from the quality standard for three years running, a Member State may cease to import these seed potatoes.

For forestry seeds and seedlings, the situation presents itself in another light than for seedlings used in agriculture because of the difference between growing periods. The EEC system applicable to forestry seeds and seedlings will therefore be different in many respects from the system for agricultural species. It will be based on the principle that the Member States will apply the highest possible common requirements to the admission of basic stock from which the seeds, shoots and seedlings suitable for marketing must be exclusively derived. In this respect classification of the basic stock according to origin categories presenting equivalent natural conditions and parentage with analogous genetic, or at any rate, morphological features and showing equivalent characteristics as wood producers, will play a decisive role. In fact the seed plantations which have already proved their worth in the quality of their progeny will in future be more highly rated as a source of basic materials.

In the same way as for the national lists of varieties, the Member States will provisionally have to be left free to refuse to accept seeds, seedlings, etc. from certain sources which in view of their genetic properties may adversely affect yields or timber production.

Forestry seeds and seedlings originating from non-member countries will also be allowed access to markets in the EEC area under similar conditions to those applying to agricultural seeds and seedlings.

In order to guarantee trueness to varietal name, the proposals contain provisions on isolation during the harvesting, storage, transport and cultivation of seeds and seedlings as well as on sealing, particularly with a view to marketing.

None of these directives covers seeds and seedlings which are manifestly intended for export to non-member countries where the regulations may be different.

In addition to the directives, the Commission has submitted to the Council of Ministers a draft decision which provides for the establishment of a standing committee of government experts on agricultural, horticultural and silvicultural seeds.

Like the Commission's earlier proposals concerning the harmonization of veterinary measures, the five draft directives are based on Article 43 of the EEC Treaty.

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Up to a certain point the Commission has been able to base itself on studies in this field by FAO, OECD and the Economic Commission for Europe. Lengthy consultations have also taken place with government experts and professional circles.

The Commission is also engaged in work on other plants of importance to agriculture. A working party is already dealing with vegetable seeds; talks are expected shortly on vine stocks and shoots; finally, the problem of harmonizing the marketing of the seeds of plants grown for oil or fibre will be taken up in the near future.

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