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Specialized Section on Standardization of Seed Potatoes

Thirty-eighth session

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Item 2 of the provisional agenda

MATTERS OF INTEREST SINCE THE LAST SESSION

Submitted by the European Commission

This note presents recent developments in the EU legislation on the marketing of seed and propagating material.

Recent developments in the EU legislation

Evaluation process:

In 2006, the Commission decided to submit the legislation on the marketing of seed and propagating material (12 basic Directives and the relevant implementing measures identified as "acquis Communautaire" for that area) to an evaluation exercise. Attention also is paid to the existing links with other acquis, such as on Community Plant Variety Rights, control of harmful organisms or plant protection products.

The intention is to compile information to allow informed decisions aimed –if possible and indeed desirable- at simplifying the acquis and its implementation, both for the public authorities and for stakeholders in the private sector.

The evaluation is to be carried out by an external evaluator. A Steering Group has been formed to assist the evaluation manager in his work.

The terms of Reference for the evaluation have been agreed on and now serve as the basis for the inception report, which is the detailed roadmap explaining every single step of the evaluation. This inception report has to be approved by the Steering group.

In order to ensure transparency of the process, validated information on the progress of the evaluation has been published on the "Seeds and Plant Propagating Material" pages of the SANCO website:

http://ec.europa.eu/food/plant/propagation/evaluation/index_en.htm

This website will be updated as the evaluation progresses.

The evaluation will look into the efficacy and the efficiency of the acquis with regard to the objectives set at the time when the measures were adopted. Also it will look into the consistency with other Community policy areas and with international standards. Last but not least, the evaluation should have a strong forward-looking component and should aim at identifying opportunities for modernising and simplifying the current rules.

The evaluation should be completed by October-November 2008, and will be followed by the elaboration of an action plan of legislative reform, that itself should be finalised in 2009. After the adoption of the plan the drafting of legislative proposals should start, including, where appropriate, impact assessments. The clear forward-looking component of the evaluation should greatly facilitate these impact assessments.

In conclusion, the first proposals of new or amended acquis texts, based on the results of the evaluation should be expected towards the end of 2009 or early 2010 for discussion in the Council or at the level of the standing Committees.

Updating of legislation:

In the light of the development of scientific knowledge, the Commission Services are preparing an updating of the scientific names of species in cooperation with Member States. As regards seed potatoes the updating refers to the scientific names of species of pests listed in Annex I and II to Directive 2002/56/EC.