

Importation of seed: equivalence principle; extending period of application and updating names of third countries and authorities

2012/0165(COD) - 28/06/2012 - Legislative proposal

PURPOSE: to amend Council Decision 2003/17/EC by extending its period of application and by updating the name of a third country and of the authorities responsible for the approval and control of the production.

PROPOSED ACT: Decision of the European Parliament and of the Council.

BACKGROUND: Council Directives on the marketing of fodder plant seed, cereal seed, beet seed and seed of oil and fibre plants regulate the internal marketing of seed for sowing of the plant species as listed by those Directives.

To facilitate trades and to respond promptly to the marketing request, those Directives provide for the Council to establish rules for authorising the importation of seed under an equivalence system from third countries.

Council Decision 2003/17/EC provides that for a limited period, field inspections carried out in third countries on seed-producing crops of certain species are considered as equivalent to field inspections carried out in accordance with Union legislation and that seed of certain species produced in third countries is considered as equivalent to seed produced in accordance with Union legislation.

It appears that those field inspections continue to afford the same guarantees as those carried out by the Member States. Those field inspections should therefore continue to be considered as equivalent.

As Decision 2003/17/EC will expire on 31 December 2012, the period for which equivalence is recognised under that Decision should be extended.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 43(2) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: Council Decision 2003/17/EC provided the list of countries to be recognised for the application of the equivalence principle for importation, detailed requirements to be fulfilled, and in particular limited to five years the period for which equivalence recognition is to be extended if all the relevant requirements are fulfilled.

That period will expire on 31 December 2012. Currently, the temporary extension is envisaged for only 5 years. However, the revision of the new Regulation on seeds and reproductive materials (under co-decision procedures) will be launched in September 2012, with specific implementing measures to be adopted thereafter.

In order to ensure the necessary supply of seed to the EU market, **the Commission proposes to extend these rules by ten years, until 31 December 2022.**

The proposal also aims to delete the reference to Yugoslavia in Decision 2003/17/EC. Serbia, as a member of the OECD Scheme for the Varietal Certification of Seed moving in International Trades and member of the International Seed Testing Association as regards the seed sampling and testing, will be added to the list of third countries in Annex I to Decision 2003/17/EC.

Lastly, the proposal updates the names of some authorities responsible for the approval and control of the production.

BUDGETARY IMPLICATIONS: the proposal has no implications for the EU budget.