

ECOPB Workshop 2013. Report.

Summary

The European Consortium for Organic Plant Breeding (ECOPB) held the 7th workshop on seed regulation on 9th and 10th October 2013 in Brussels, hosted by the Flemish Government, Department of Agriculture and Fisheries. There were 54 delegates from 16 different countries. Key topics discussed included the upcoming changes in organic regulation at the EU level, harmonisation of seed derogation policies across different EU countries, the status of national seed databases and the issue of accommodating local varieties within legislation. Presentations were given by representatives from the European Commission, seed and breeding companies, national representatives from derogation and control bodies, representatives from farmer networks and IFOAM EU.

Seed derogation practices were discussed extensively, particularly with respect to their impact on the production and use of organically propagated seed and planting material. It was highlighted that one of the main barriers to the development of the organic business arm of seed and breeding companies was the ease with which derogations are granted in many countries, which is a major disincentive to invest in organic variety production. Several points were raised in relation to this, with the potato system in Germany being offered as a possible solution. Under this arrangement, organic seed potatoes must be ordered by a certain date (before the first of February), after which no derogations will be issued and growers have to take what organic varieties are left, even if these are not their preferred choice. In this way, farmers are prevented from delaying their order until after organic seed potatoes are sold out. This gives some market guarantee for organic seed potato producers.

The discussion on derogation policies complemented a synopsis of proposed changes to organic seed regulation presented by the European Commission. The three options under consideration were outlined which varied, amongst other factors, in the way derogations would be managed; possibilities range from incorporation of long-standing exceptions into the regulation through to removing derogations altogether. The opportunities that a change in regulation brings were also highlighted and it was emphasised that issues raised within the ECOPB workshop could inform the future format of the regulations.

The existence and extent of seed availability databases varies considerably between different EU countries. This was well-illustrated through individual country reports and there was much discussion regarding the relative merits and problems in attempting to develop a single EU-wide database. Concerning the databases currently in use, each country has its own format which makes it difficult for seed companies to keep availability information regularly updated. The most widely used database between countries is OrganicXSeeds which is currently undergoing revision and could incorporate modifications to help in ensuring the choices to growers and farmers are transparent.

The presence of representatives from southern and eastern countries was stronger than in previous workshops, which was welcomed. The more extensive tradition of using local varieties and landraces in these regions was discussed, with reference to how this can be accommodated within organic regulations. Representatives from farmer organisations and seed networks described the practical implications of regulations on their members. An important point was made that care must be taken to ensure there is not a division between the

commercial seed sector and the informal seed sector. This is well-described in the farm Seeds Opportunities (FSO) project. Local variety users should find their place in the organic seed legislation model, even when it is not possible to source with organic seeds.

In conclusion, the situation regarding organic seed is dynamic and is currently in a state of flux as new regulations are formulated and implemented. Stakeholders within the organic sector need to engage with this process in order to help shape the future direction of the rules for organic seed within the new organic regulation in such a way that it supports the production and use of organic propagating material.

A number of actions were proposed which will contribute to a 'roadmap' for harmonising seed regulation between EU countries, ultimately integrating the different actors and activities within the sector to promote organic production.

It was agreed that a clear target setting is needed to increase the production of organic seed and decrease the amount of derogations. To create a level playing field definitions should be clarified and an EU database should be developed. Rules for local and traditional varieties should be differentiated in order to avoid a conflict between the aim to maintain and increase (agro) biodiversity and the obligation to use only (certified) organic seed.

1. Introduction

This report summarises the proceedings of the 7th European Workshop on organic seed regulation which took place on 9th and 10th October 2013 in Brussels, hosted by the Flemish Government, Department of Agriculture and Fisheries. The meeting was chaired by Prof. Monika Messmer (FiBL, Switzerland; current chair of ECOPB) and Maaïke Raaijmakers (Bionext, The Netherlands). Delegates from 16 different countries attended and included representatives from the Standing Committee on Organic Farming (SCOF), the International Federation of Organic Agriculture Movements (IFOAM), the EU Commission, advisors and scientists working on organic systems, seed companies involved in organic seed production, farmers and growers.

The previous workshop, held in 2011 in the UK, highlighted the need for greater harmonisation of seed regulation across EU member states and this theme was carried forward into the present workshop. In her introduction, Monika Messmer (ECOPB President) outlined the role that national databases have to play in the harmonisation process, the need for review of derogation practices, the importance of farmer involvement especially in relation to the position of local varieties and the imminent revision of EU seed regulation.

The current state of the art on organic seed production and regulation across different countries is being collated through a survey initiated prior to the workshop. The preliminary results of this were presented by Frederic Rey (ITAB, France), and complemented by individual updates from selected countries and seed companies given by their representatives present at the meeting. The perspectives of organic farmer networks from Spain and Italy were also discussed, along with case studies of the pertinent issues for selected crops within the sector, e.g. potatoes, cereals and vegetables as experienced by the breeding companies.

Finally, discussions within sub-groups on key issues raised by participants during the workshop helped to develop a roadmap for the next steps needed to further support harmonisation of organic seed regulation within Europe. This included a definition of the role of different

stakeholders and how an integrated approach from all involved could better advance the goals and needs of the organic seed sector.

2. Revision of the organic regulation process and the opportunities this offers to change and optimize rules on organic seeds

René L'Her (EC)

A timely summary of the review of EU policy for organic production, which is currently in preparation, was given by René L'Her, policy officer from the Commission's Organic Farming unit, DG Agriculture and Rural Development. The problems associated with the current system of organic regulation were described, including the complexity of the legislation with unclear provisions, the need for adaptation to production rules in order to address deficiencies in the control system and trade regimes, lost opportunities for EU producers and a high level of administrative burden. An impact assessment process was used to look at various different scenarios for change and this resulted in three options being selected for further consideration:

- 1) Improve the status quo – better enforcement of the current legislation, with adjustments;
- 2) Market-driven approach – to provide appropriate conditions for EU producers to benefit from further market development;
- 3) Principle-driven approach – involving a refocus of organic farming on its founding principles.

The main changes that each of these options would bring to the basic Regulation were outlined, and these are summarized in the table below:

Option 1: Improve Status Quo	Option 2: Market-driven	Option 3: Principle driven
To clarify and marginally extend the scope	To integrate as provisions of the EU regulation current long-lasting exceptional rules (i.e. derogations)	To remove exceptional rules (i.e. derogations)
To clarify the provisions of the standard	To draft a more readable and stand-alone organic standard	To remove 'parallel' production
Bring marginal improvements to labelling rules	To include the measures of Option 1	To end retrospective acknowledgement of conversion
Clarify accreditation		To end the use of non-organic ingredients
To remove compliance (Art 32, Reg 834/2007)		To draft a stand-alone organic standard
		To remove equivalence for certification bodies (Art 33 (3))
		To adapt compliance for certification bodies
		To include the measures of option 1, except removal of Art 32.

In order to bring about the changes suggested under the various options, a number of instruments would be needed. In the case of option 1, a new Regulation of the European Parliament and the Council would replace the EC Reg 834/2007, measures would be needed to reinforce the control system on traceability, market controls and coordination of different authorities, and a system of electronic certification would be integrated in an EU web-based database with adequate implementing provisions. For option 2, in addition to the instruments outlined for option 1, a new action plan would be issued on a strategy for organic farming, via a Commission Communication, and for option 3 option 2 instruments would be augmented in the case of the control system, to reinforce a risk-based approach and to define irregularities and infringements.

The review and report of these three options to improve EU policy for organic production has recently been submitted to the Commission's impact assessment board and concurrently, an elaboration of a draft basic Regulation and Action Plan are in preparation. René L'Her highlighted that the discussions resulting from this ECOPB workshop could help to inform the current review and drafting of the basic regulations. It is planned that at the beginning of 2014, the package will be presented for adoption by the Commission.

3. Country Reports

For **Belgium** Laurence Château reported that all 3 regions have competent authorities. OrganicXSeed is used as the organic seed database, but there is no national annex. There are about 60 species and subspecies where derogations are considered possible if justification is provided. The management of the derogation system is delegated to control bodies. Lieven Delanote added that triticale is the most important organically grown cereal in Belgium (in terms of area). For cereals 117 derogations were granted in 2012 and about 50% of seeds used are organic. The availability of organic seed for cereals is limited in terms of the quantity and the range of varieties available as well as the number of suppliers. For vegetables, an expert group is already in place. Within the group there is a very open discussion between seed suppliers and vegetable growers with a unanimous support for the creation of a national annex. Challenges mentioned included the need for flexibility to account for the problem of availability, diseases, new markets with specific needs, conservation varieties, experimentation with new varieties, etc. Organic planting material for strawberries constitutes another important issue.

Klaus-Peter Wilbois reported that although there are 16 regions (Bundesländer) and 20 different certification bodies in **Germany** there is an agreement to use one national database for organic seeds, namely the OrganicXSeeds. There are two expert groups (arable and vegetable crops) that act as advisory groups for the authorities. All organic seed available on the market is listed in the national database which contains information on all related aspects (i.e. supply, derogation requests, etc.). Some species were listed as category 1 as of 2013 and more will follow. Types of derogation include 'Single' for individual requests and 'general' for those where no organic seed available. Efforts are deployed to enter vegetative propagating material (strawberries, fruit trees, grapevine), but their inclusion is not compulsory. FiBL is going to introduce a fully refurbished OrganicXseeds by January 2014. There is a big scandal in Germany at the moment as new detection methods revealed that many cabbages and chicory have non-native CMS (Cytoplasmic male sterility, transferred by cell fusion from another species) sequences, a technology considered akin to genetic engineering. Private farmers excluded these CMS varieties after 2008 following the IFOAM statement that CMS is not in line with

organic principles. FiBL will introduce a 'non CMS' category by April 2014 in the refurbished database.

Some of the challenges are linked to the inclusion of vegetative propagating material in the regulation, missing criteria for variety equivalence, lack of reliable basis for inspection bodies to decline a derogation of non-organic seeds, limited seed supply, especially for certain varieties, competition btw countries using cheaper non-organic seed and lack of harmonisation btw EU countries, for example there several unclear terms in the regulation (i.e. database, report).

For the **Netherlands** Maaïke Raaijmakers reported that a national annex has been in place already for 10 years. This is the case because there are many seed companies in the Netherlands and of these a number are devoted to organic seed. There is also a strong support from farmers. There is a rule that allows some flexibility if a certain resistance develops in crops (e.g. lettuce) that are in category 1, but so far, there was no need to use these rules. Having a well-established national annex forced seed companies to make a decision – if they want organic customers, they have to produce organic seed. In some cases (e.g. seed failures), crops have had to change categories for a year then were moved back again. There is also a flexibility rule for new varieties with new traits – organic farmers can use non-organic seed for a year while sufficient organic seed supplied are multiplied. This flexibility has mainly been used for glasshouse crops.

Challenges include the need to level the playing field, increase the number of seed companies, addressing the issue that the market does not yet pay a premium for organic seed and the need to increase the quality and quantity of organic seed production.

For **France** Frédéric Rey reported that www.semences-biologiques.org is the national database used in France. It is managed by a national committee composed of various actors (GNIS, ITAB, certification bodies, seed companies and organic farmers' representatives). Between 2007 and 2012 the number of suppliers increased from 86 to 115. Advising the national committee, there are 4 expert groups covering vegetables, cereals, forage crops and vegetative propagated material. The database contains 4 different lists: no-derogation list (category 1), a "warning" list with candidate species for category 1, a "normal" list (category 2) and a list of general authorizations (category 3). Many crops on the Category 1 list are vegetables, but it also includes some maize & triticale. The waiting time between the decision to put something on the list and the implementation of rules is 6 months. There are specific rules for strawberries (as in Belgium) and savoury and medicinal herbs. For cereals the part of organic seeds used in organic farms is about 40%-50%. For vegetables 82% of organic farmers (especially those supplying short chain markets) are using between 76%-100% of organic seeds.

The main limiting factors for the availability of organic seeds are: the lack of investment in organic breeding, the need for a new business model (lack of profitability), negative attitudes of seed farmers, seed companies, transplant/seedling producers and regulation requirements (i.e. organic seed regulation, organic seed production, registration procedures for organic varieties).

Francisco Riva reported that from a bureaucratic point of view based on the reports sent to the Commission all mandatory rules are fulfilled in **Italy**. However, from a market or practical perspective the system does not work. The situation has deteriorated in the past few years: 35,258 derogations were issued in 2012 and organic seed production is decreasing. Italy wants to introduce an expert group and a new website following the model used in France i.e. Green list=Category 1, yellow list/warning list = Category 2, red list = Category 3. Mr. Riva suggests sending a letter to SCOF on the issue of the new EU regulation on the marketing of seeds (i.e. local varieties, cross composite varieties, etc.) to try to influence the process.

Juanma Gonzalez from **Spain** reported that for the Red de Semillas, a Spanish seed network whose objectives include increasing the use of traditional varieties as an organic option, the problem is about production rather than regulation. There are many regulations about seeds in Spain. Competencies are divided between the central government and the Autonomous Communities (AC). The database is managed by the central government and the input is provided by ACs. This division leads to a lack of harmonisation even within Spain. There are few Spanish seed companies – most are European companies with outlets in Spain. The Spanish Government is not engaged with organic agriculture and there is a lot of bureaucracy. There was a 100% increase in derogations from 2011 to 2012 with about 30 000 derogations granted in 2012. 85% of species registered in the database are horticultural crops. Key questions for Red de Semillas are: How can Spain improve the database? What quantity of organic seeds will be needed in Spain in the future? How many/who are the various stakeholders? How can traditional varieties be used for organic farming?

Kostas Koutis from Aegilops reported that in **Greece** there are 11 eligible certification bodies, which represent a dramatic increase over a 10-year period (the highest change in % in EU). There is limited information on the national database: there are 6 suppliers, 4 importers). The main crops listed are vegetables, aromatic and medicinal plants, chickpea, vetch and corn. According to the latest statistics (MRDF, 2012) a total of 38 286 derogations were granted, where 52.3% concerned arable crops, 29.5% vegetable crops and 16.3% forage crops. There is no expert group and no Category 1. Seeds used in organic agriculture include conventional, organic and farm-saved. Organic seed is more expensive than conventional seed and organically produced seed is rarely tested under Greek conditions. 80% of cereal crops in Greece are grown from farm-saved seed. Farmers do not think they should need derogation for farm-saved seed as they feel it is best adapted to their conditions and is also organic (but poor quality). Obstacles for the organic seed sector in Greece include severe austerity, so there is no investment in agriculture. According to Mr. Koutis there is room on the market for both formal and informal seed systems.

Written reports were submitted for a range of other European countries as follows.

For the **United Kingdom** the various reports submitted indicate that there are 9 organic suppliers for vegetables, 24 for forage crops and 20 for arable crops in the database. There is an expert group, but it lacks sufficient funding and authority. There is no Category 1. Derogations have been stable overall, but there has been an increase in the use of organic seed potatoes and grass seed mixtures. Main concerns are the possibility to use conventional seed and the current functioning of the database.

In **Denmark** there is no Category 1, but there are hardly any derogations issued for grass, clover and seed potatoes. Derogations are stable and there is an expert group. Main concerns formulated are the variation in implementing the regulation and the lack of a European annex.

In **Norway** there is no Category 1 and no expert groups. The derogations have remained stable over the years. Challenges mentioned are the lack of organic seed suppliers, the use conventional and organic seeds in the same mixture and the easiness of obtaining derogations.

For **Switzerland** it was reported that there are 8 organic seed suppliers for vegetables, 6 for forage crops and 6 for arable crops. There are private initiatives for Category 1 (i.e. BioSuisse). Derogations are on the increase. There has been a stricter regulation introduced for organic vines, but there are concerns about the lack of seed suppliers, the quality of seed and planting material and the database is not updated regularly.

In **Austria** the organic seed database was slightly redesigned, especially for vegetable crops. Domestic vegetable seed companies were encouraged to register their organic seed offer in the database. Currently there are about 130 vegetable varieties on offer. Efforts were made to improve the description of seed mixtures in the database. There is no “Annex 1”. An expert group was established in 2011 which meets at least twice a year. Individual derogations are issued by inspection bodies and the information is transferred once a year to the competent authority. The number of derogations has been stable over the years. A new development is that for vegetable seeds general derogations are only established for species without any offer in the database.

The reports submitted for **Poland** show that of the 32 entries in the database 27 are for arable crops and forage crops and 5 for vegetables. There is no Category 1 and no expert groups. The database is managed by the state seed inspection authorities. Derogations are increasing. One of the main concerns is the limited quantity of organic seed.

For **Hungary** it is reported that there are 3 suppliers for organic vegetable seed, 1 for forage crops and 4 for arable crops. Not all organic seed is registered in the database. There is no Category 1, but wheat and oats are candidates for introduction. Derogations are on increase. There an expert group. Main concerns are the functioning of expert groups, the lack of organic seed suppliers and the observation that farmers tend to look for other species in order to get derogations. For more information, please see detailed report on ECO-PB website.

For **Lithuania** the reports outlined that there are 2-3 organic seed suppliers for vegetables, 6-10 for forage crops and 6-10 for arable crops in the database. There is a Category 1 with plants from all groups. There are no major changes in derogations granted in the past years. One of the main concerns is the lack of organic seed suppliers.

For **Latvia** the reports indicated there are 2-3 suppliers of organic seeds for vegetables, 3-6 for forage crops and 5-6 for arable crops. Species of tomatoes, cucumbers, brassica, wheat, grasses and oats are listed in Category 1. Derogations are stable. Among the main concerns are the lack of organic seed suppliers and the high price of organic seeds.

4. Perspective of the seed and breeding companies

The Vision of the European Seed Association (ESA) on the use and production of organic seed.
Garlich von Essen (ESA)

The European Seed Association (ESA) represents a number of national seed associations and companies from within Europe and beyond, including those engaged in research, breeding, production and marketing. Garlich von Essen, ESAs Secretary General, spoke about their goal to serve the market in all its facets from conventional through to organic by informing, representing its members and lobbying.

Current trends impacting the seed production business were outlined and include a demand for higher quality produce, changing diets, declining farming populations and the strong global push to grow more food. There is pressure to respond in a more sustainable manner than 50-80 years ago and ESA propose that diverse production methods and technologies can provide a way forward. The point was made that the organic market is defined by environmental and ethical concerns and although it is growing, it is not doing so as rapidly as in previous years. A

number of reasons were suggested which could explain this, such as the fracturing of an already small market due to multiple certification bodies, maturing and better informed consumer requests, an increase in other sustainable markets competing with the organic sector and regulatory issues.

Concerning organic regulations, an ESA survey reported that when asked if companies would be prepared to invest more in the organic market the answer was positive, but dependent on fewer derogations being issued in situations where organic seed is available albeit more expensive than conventional alternatives. This clearly underlined some of the issues highlighted by Rene L'Her.

In conclusion, it was recommended that there is a need to improve the clarity of legislation with objective criteria of what is allowed and what is not. Time lines for change should be transparent and databases ought to be centralised within Europe. Furthermore, it was suggested that generally smaller markets such as organic will always remain small relative to conventional markets and with that comes a need to accept a reduced choice.

Preliminary results of a survey among breeders and seed companies organized by the Solibam and Cobra projects
Frederic Rey (ITAB)

The preliminary results from a survey of seed companies about their experiences of the organic market were presented by Frederic Rey. The survey, part of the FP7-funded SOLIBAM and Core-Organic COBRA projects, aims to give a picture of the current status of the sector from the seed propagation and plant breeding perspective. In general, the 33 responses represented diverse expectations and diverse agro-ecological zones. As background, it was shown that the organic land share as a proportion of the total cultivated land varies widely across Europe, with a predominance of arable crops grown in Austria, Germany and Italy in contrast to fodder crops which dominate in Spain, the UK, France and Portugal. The main distribution channels for organic products also differed geographically, with diversified markets being key in France, Germany and The Netherlands, short chain/local markets leading in Italy, and Hungary and Spain mainly exporting their organic produces. Seed propagation grew dramatically in France in the 4 years to 2011 (+84% for arable crops), even if organic yields for seed multiplication remained much lower than conventional ones (e.g. 50% lower for wheat, barley, maize and faba beans).

There were 33 contributors to the survey at the time of the workshop, almost half of whom were from France and the UK. The majority of responders were companies involved in vegetable and cereal seed production. According to them, last three years their organic seed sales increased the most in France, the UK, Germany and Austria. For the near future, in general respondents felt that there would be a low growth in the organic seed market, and the main limiting factor was identified as the ease with which derogations are granted. Technical difficulties and market size followed with the factor of least concern being a lack of suitable varieties. Various breeding strategies for organic systems were reported with just over half of the companies developing dedicated organic programmes from start to finish and 35% starting with a conventional approach and switching to organic principles in later stages. For 54% of companies the main limiting factor to further development of dedicated plant breeding programmes for the organic sector was economic – key reasons given included lack of return on investment and absence of adapted rules for organic seed registration. Several companies expressed an interest in formal certification for their organic plant breeding programmes. When asked about regulation, 41% of respondents said that they would want VCU testing to remain compulsory under any revised legislation, with the reminder either feeling it should be optional (34%), or having no opinion on

the matter. New seed categories were proposed by the EC in May 2013 for plant material that cannot be classified in the same way as modern conventional varieties. These comprise niche market material (small, local production), ODR varieties (old varieties and landraces) and heterogeneous material (populations). The survey revealed a mixed reaction from seed companies to this proposal with some seeing it as an opportunity and others feeling it could be a threat to their business.

In summary, organic seed production showed positive market growth in some countries, mainly Northern Europe, but was limited by the ease with which derogations can be obtained as well as some technical difficulties. Regarding plant breeding for organic agriculture, the companies surveyed had several on-going programmes but perceived the limiting factors to further development to be the lack of return on investment and no adapted rules for registration. These are the key issues that respondents felt new regulations need to address to support the growth of their organic production activities.

A company perspective of organic seed regulation

Amadeus Zschunke (Sativa Rheinau AG)

Sativa Rheinau is a small Swiss company specialising wholly in organic breeding and seed production. Their main business is in vegetable and arable crops and they were founded in 1998. Amadeus Zschunke explained that although there is no officially recognized organic certification system in Switzerland, the majority of growers are members of Bio Suisse which is a private sector federation of organic farmers and farmer associations. Through their membership, organic farmers agree to pay the same price for derogated conventional seed as they would for organic seed, even though the market price of the former is cheaper. The cost difference is collected by Bio Suisse and used to support the development of the organic breeding sector. Such a system is a strong financial disincentive for organic growers to seek derogations when organic seed is available, which is a problem in many other EU countries. Notably, the approach has been instrumental in stimulating the production of organically bred potatoes and strawberries.

In the Swiss arable sector, no derogations are issued, provided there is sufficient supply of organic seed; however the variety choice is often limited. The vegetable sector, in contrast can use whichever varieties they wish as long as the seeds are untreated, i.e. they can still be conventionally produced. As a consequence, only a relatively small proportion of the seed used by vegetable growers is organic, whereas almost all arable seed grown on organic farms is organically produced.

In general, it was reported that there is backing from within the sector for alternative concepts of seed production and organic breeding. Sativa focuses on responding to the needs of organic agriculture by producing a large range of biodiverse crop seed, in contrast to the larger breeding companies whose range is much more limited. In terms of anticipating demand, Sativa tend to look for gaps in the market where there are currently no organic varieties, but there is a future potential need. Farmer cooperation is a part of this, though not in a participatory breeding approach. The feedback from other companies, along with Sativa's own experience, is that many of the 100% organic seed companies have grown quite fast during the last 10 years, which has allowed them to invest more into organic breeding.

5. Farmers' perspectives

Riccardo Bocci from the Rete Semi Rurali and AIAB, **Italy** stressed that there is a lot of talk about the market and derogations, but not about the principles of organic agriculture. Organic farmers need to have locally adapted/traditional varieties. It is the only way production can be done in many areas growing crops (developing countries, hills, mountainous regions). The problem with the current regulations is that organic farmers have less choice and fewer possibilities than conventional farmers, which contradicts the aim of increased biodiversity in organic systems. A new approach is needed because organic systems are more complex. Both formal and informal seed systems should be maintained in Europe (as done in developing countries). These new systems have to be decentralized and farmer oriented. Issues to be addressed include the lack of public money for research and the need to finance participatory plant breeding (PPB), ways to promote an informal organic seed system with good quality seeds while ensuring that no room is created for unfair competition among seed industries and ways to deal with VCU systems for varieties used in alternative farming systems.

For the farmers' perspectives of the Spanish seed network Red de Semillas please see the slides (in Spanish) of Juanma Gonzalez available on the ECO-PB website.

6. IFOAM seed position paper and IFOAM EU role in influencing EU policies

Laura Ullman presented information on the IFOAM EU group. She highlighted that IFOAM EU has a Seed Policy working group of relevance to ECOPB, along with groups in a range of other areas, e.g. regulation, research (TP organics).

Revision of Plant reproductive material legislation: IFOAM EU wants to preserve and increase the diversity of organic seed and make sure that there is a market for it. 'Value' in organic is not the same as in conventional – resilience and durability are more important in the former. Exchange and direct sale by farmers, gardeners, conservation networks must be 'out of scope', but registration of Composite Cross Populations must be enabled and adapted evaluation criteria (uniformity) must be developed for open pollinated varieties. The transparency of breeding methods and the origins of basic varieties should be made available in a publicly accessible database. GMO-free seed must remain available.

Revision of Organic Regulation: Regulations EC 834/2007 and 889/2008 are connected to the use of organic seeds. Organic is a principle driven sector (unlike most others). Is the current regulation a problem with respect to implementation or regulation? In the view of IFOAM EU feel it is the implementation that is the problem as we need to make sure that when organic seed is available people use it, rather than getting derogations for conventional seed. **Issues with derogations:** access to seed, especially for small farmers is a problem that can lead to derogation requests. Biodiversity, for example preference for locally adapted seeds, and Sustainability - is it better to bring organic seed from a distant country or use non-treated conventional seed produced in-country? - are also issues to be considered. The IFOAM position paper on the use of organic seed and plant propagation material in organic agriculture highlights the main elements that should be included in decisions about derogations. It can be found at: <http://www.ifoam.org/en/ifoam-position-paper-use-organic-seed-and-plant-propagation-material-organic-agriculture>

Current review process: Control may move from DG Agri to DG Sanco (see also slides). There is room for interpretation in regulations and different member states could interpret them in very different ways. There is a vital need to be careful in how the text is formulated.

Other policy opportunities: Horizon 2020 (2014-2020) seeks multi-actor projects. Rural Development programmes focus on operational groups where different actors along distribution chain work together.

7. Case studies – Seed companies

Potatoes

Jan Van Hoogen presented AGRICO, a farmers' cooperative (ca. 900 members) with headquarters in the Netherlands that produces organic seed potatoes. AGRICO has two daughter companies in the Netherlands: one specialized in research, the other in packaging. Organic and conventional potatoes are kept completely separate in terms of production & packaging. The company has a group of 60 members who are growing organic potatoes. One of its trademarks is Bioselect. Seed potatoes are exported to 80 countries. AGRICO has subsidiaries in 8 countries, including Canada, Sweden, France, Scotland, Poland and Romania, and a network of agents in the rest of the world. In terms of its vision for organic seed potatoes, AGRICO believes it is important to use organic seeds, to level the playing field and that one of AGRICO's responsibilities is to increase production.

Cereals

Ellen Mühlhausen presented the **KWS**, a **German** breeding company that produces both organic and GM-seeds. The KWS group includes 63 companies and covers 3 main sectors: 1) sugar beet with rape, 2) corn with OSR and 3) cereals. In terms of its organic farming activity, for some crops like maize and sugar beet, KWS produces its own seeds, while for other crops, like wheat, barley, triticale oats, peas and potatoes (industrial use) seed production happens under license by independent commercial seed producers (i.e. Naturland). Since KWS considers itself to be a breeding company and does not sell seed directly to farmers, it is the responsibility of retailers to update the databases. For organic seed production organizations KWS holds that they need to be able to satisfy demand for new varieties in the short term. For breeding companies and research it is important that untreated seeds from conventional seed production are allowed for testing new varieties, that breeding companies are informed about the quantities and the varieties which are deregulated and that seed databases are well maintained and continuously updated.

Vegetables

Vitalis, an organic vegetable seed production company located in the **Netherlands**, was introduced by Henk Haitsma. Vitalis only produces and sells organic seeds and it is against CMS technology based on protoplast fusion. It holds that organic is no longer a niche market – it is now mainstream. The company sells seeds in Europe, North and South America, Asia and Africa. In terms of seed production Vitalis works with professional growers (not local small scale growers) and considers that long-term relations are essential for its activities. Seed borne diseases are an issue and it is investing in approaches to deal with this, e.g. Hot water treatment. In relation to the European Organic (Seed) Regulation Mr. Haitsma noted that a huge number of derogations have been given Europe-wide. This trend should come to an end – not only because of the administrative burden but also because of a need to go back to first principles. If a Category 1 (Annex) is introduced, bigger companies will be forced into organics,

or otherwise they will lose clients/market. This is a good motivation for them to step into organic seed production. Vitalis used to put all its seed availability on all databases, but this is no longer the case because the databases are set up very differently country-to-country and there were also language problems. Database revisions in the future will depend on whether the market is commercial or principle driven. Mr. Haitsma suggests that an EU database could be filled in with information in a standard way, and then translated to different member country languages. Timelines and targets should be set for an EU annex/database and derogations should be a real exemption and not a 'cost driven escape'. An obligatory % of organic seed usage per crop would be very helpful for producers and motivate more dedicated investment from breeders. The central tenet is that organic products should come from organic seeds.

8. Group Discussions on Key Issues raised by participants during the workshop

Six discussion topics were identified on the basis of issues raised during the workshop:

- 1 – Adapt the EU Legislation
- 2 – Seed availability
- 3 – How to set up a National Annex
- 4 – Improving databases
- 5 – Making organic seeds more attractive
- 6 – Increased use of locally adapted seeds

The outcomes of these discussions are summarised below.

8.1. Legislation

It was felt that the basic principle driving all legislation should be that organic products must come from organic seed. There were a number of recommendations from the group as to the steps needed to achieve this. Key amongst these was that target setting should be initiated from Brussels to reduce the number of derogations within an agreed time frame. This could be facilitated at the level of individual member states by governments agreeing to develop a national annex for category 1 crops (zero derogations allowed) by a certain deadline. Such an approach might also stimulate national governments to take responsibility for installing expert groups. Another suggestion was that an EU-wide database should be implemented that would list all available organic seed and be uniform, accessible and readable for farmers in their own language. This would encourage companies to enter their products as it would effectively be a 'one-stop shop' as opposed to the current system where many countries have their own databases which require data to be entered by seed companies multiple times and in different formats. Finally it was felt that there needs to be greater harmonisation between member states regarding the methods allowed in organic production and organic labelling.

8.2. Seed availability

The point was made by this group that all the discussion topics are highly inter-connected. For example, availability and supply follow demand – if there is not sufficient demand perceived by seed companies due to poor communication, then appropriate quantities of the preferred seed will not be available. It was acknowledged that the organic market is a niche market, which represents a small part of the business of many companies. Consequently, there will be side-associated limitations to availability, but if niche markets collectively work more effectively to communicate their needs then together they can have an impact. With regard to this, it was stressed that critically niche markets should make their impact early in order to have the best opportunity to influence decisions on seed production and therefore choice/availability. If they wait too long, bigger markets will already have instigated decisions which will affect the smaller niche markets without their input. In relation to regulations, it was emphasized that they focus largely on derogation-related issues, and production and marketing need also to be addressed to improve seed availability.

8.3. How to set up a National Annex

The main outcome from this group was the suggestion that it would be helpful to produce a leaflet which would describe how a National Annex works. This could be led by countries where a good and well-established system is already in operation, e.g. France or the Netherlands. It could explain how countries could deal with flexibility and describe the role of expert groups. Besides that several participants indicated that in their view they do not have the authority yet to develop a National Annex. This should explicitly be mentioned in the EU Regulation.

8.4. Improving databases

It was reported that a problem with databases as they currently stand is that seed companies often do not update them properly or in time for growers to order their requirements. If they are to be of any use, then this must be rectified. Representatives from seed companies responded that one of the reasons that the databases are not regularly updated is that the category lists from various countries differ which means that it is not easy for them to put their offers on the database in an easy way – they would have to do so on an individual basis. If the organic market is a small part of their business it may be deemed that this is not worth the time it would take. In order to try and address these issues, it was suggested that a working group should be formed to make an action plan for the steps ahead. It could include the people who participated in the discussion, and further input could be sought through ECOPB member contacts. Crucially, however, it was stressed that it would need to be formally set with EU backing, a designated project manager and a budget. In this way it would become a defined task with measureable outcomes rather than a 'added extra' which rarely generates concrete results.

8.5. Making organic seeds more attractive

The discussion on how organic seed could be made more attractive to growers identified five main areas to focus on. The first of these was addressing the price differential between organic and conventional seed. The Swiss system was discussed (see *A company perspective of organic seed regulation - Amadeus Zschunke*) and it was commented that despite its obvious success in Switzerland, it wouldn't necessarily work in all countries due to their differences in size, administration and farmers prior experience/expectations.

It was felt that the organic sector should develop a higher technical knowledge and control of the technical quality of organic seeds (e.g. seed size, coating). Regarding their sanitary quality, suitable standards/thresholds should be specifically developed for the organic sector. In addition, seed users should be better informed of the risks of some seed borne diseases and the necessity to make analyses when using farm seeds (e.g. common bunt in wheat). Research to control these pathogens with organic methods should be better supported.

In general, having a larger number of organically bred varieties for growers to choose from would lead to greater buy-in, but this would depend also on better communication across the organic food system as a whole, and particularly between farmers and stakeholders.

8.6. Increased use of locally adapted and locally produced seed

The first point raised was the possible dilemma for growers in choosing between locally produced/adapted seeds which may be conventionally grown, and organic seed which would not necessarily be locally sourced. It was felt that more space in the organic legislation for local/farmers' seeds would help with this, but further discussion was also required between the various stakeholders which could potentially be mediated through ECOPB. Where varieties are listed on databases, it was suggested that there should be an indication of whether they have

actually been tested in the countries in which their seeds are being sold. This would help growers to make a more informed choice on what is available to them. Capacity building for farmers was also highlighted as being important in encouraging the use of locally adapted/produced seed and it was suggested that lobbying could promote this. A related point was that the legislative process is often top-down and it needs to be less so in order to take local and national issues of importance into consideration as these can have a strong impact on the choices made by growers. There is an obvious link between the use of locally adapted/produced seed and the participatory plant breeding (PPB) approach, which tends to be more strongly endorsed in the South of Europe and the Global South. With this in mind, the concern was expressed that a split may develop between the commercial seed sector and local variety users which could translate into countries such as Spain, Italy and Greece becoming adrift because they don't fit the Northern legislation model. Care must be taken to ensure that any such split does not become a complete division.

9. Recommendations

Three major actions were suggested as a result of the group discussions:

- (1) The many recommendations offered for the EU organic seed revision process should be incorporated into a formal letter sent to the Commission either through ECOPB or IFOAM EU
- (2) The initiative to develop an EU-wide organic seed database should be put forward as a formal project proposal which could go direct to the Commission. The first step would be to work out how much funding would be needed to support this activity. Maarten Vrensen from Vitalis offered to take the lead in this.
- (3) There is a need for more capacity building which should take local producers into account and could be mediated through a working group. Farmer networks, especially in the Southern regions where the use of local varieties is stronger, could also play a key role.

APPENDIX: Participants

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