

**Opinion of the Economic and Social Committee on the 'Proposal for a Council Directive amending Directive 69/208/EEC on the marketing of seed of oil and fibre plants'**

(COM(2002) 232 final — 2002/0105 (CNS))

(2002/C 241/12)

On 21 June 2002 the Council decided to consult the Economic and Social Committee, under Article 37 of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 21 June 2002. The rapporteur was Mr Sabin.

At its 392nd Plenary Session (meeting of 17 July 2002), the Economic and Social Committee adopted the following opinion with 126 votes in favour, no dissenting votes and one abstention.

## 1. Introduction

1.1. The Council adopted Directive 69/208 on the marketing of seed of oil and fibre plants on 30 June 1969, reflecting the fact that the production of these plants occupied a major place in EU farming. As a result, farmers had to obtain certified seed in order to be sure of varietal identity and purity. In order to keep in step with technological developments in the oil plant sector, the Commission decided, on 27 June 1995, to organise a temporary experiment on the marketing of hybrid seed and varietal associations of swede rape and turnip rape, in the context of Directive 69/208, in order to establish the conditions that these types of seed must satisfy. As the trial period has come to an end, the Commission is proposing to regularise the marketing of these hybrids and varietal associations by including them in the scope of Directive 69/208.

## 2. Content of the proposal

2.1. Directive 69/208 concerns the marketing within the Community of seed of oil and fibre plants intended for agricultural production but excluding use for ornamental purposes.

2.2. The seed of these plants may not be placed on the market unless it has been officially certified as 'basic seed' or 'certified seed', in accordance with the conditions laid down in Annex II. Provision is made for derogations. The Directive also stipulates that each Member State must draw up an official list of the varieties of oil and fibre plants officially accepted on its territory.

2.3. It also specifies the conditions for the packaging and labelling of certified seed.

2.4. The temporary experiment, authorised by the Commission on 27 June 1995 <sup>(1)</sup>, authorised the marketing of seed of hybrids and varietal associations of swede rape and turnip rape, while also establishing the conditions for seed production. These relate mainly to the conditions for male sterility, minimum varietal purity and the minimum distance for isolation from neighbouring sources of pollen. The labelling conditions are similar to those stipulated in Directive 69/208.

2.5. The Commission's proposal aims to regularise the provisions of this temporary experiment by including them in Directive 69/208. As the maximum legal duration of a temporary experiment is seven years, the Commission proposes implementing these new measures from 30 June 2002.

## 3. General comments

3.1. The Committee takes due note of the Commission proposal, which broadens the scope of application of Directive 69/208 to include all hybrids and varietal associations of oil and fibre plants.

3.2. The Committee would point out that for almost 30 years, seed breeding has played a crucial role in improving the yield of oil plants. Thanks to genetic improvement it has also been possible to respond rapidly to new constraints on swede rape regarding the elimination of erucic acid and the reduction of glucosinolate levels.

3.3. 'F1 hybrid' development is a new approach for seed breeders. It paves the way for faster work on criteria such as potential yield, oil content, resistance to disease (e.g. Phoma) and also for major reductions in nitrogen fertilising.

<sup>(1)</sup> Decision 95/232/EC (OJ L 154, 5.7.1995) as amended by Decision 99/84/EC (OJ L 27, 2.2.1999).

3.4. This breeding method is based, from a genetic point of view, on the heterosis effect. It is therefore necessary to maintain a high level of genetic diversity when practising this method. In 2000, hybrids were used on 15 to 20 % of the land cultivated with swede rape in France and in the order of 15 % in Germany<sup>(1)</sup>. Varietal associations, meanwhile, provide breeders with a temporary solution until hybrid varieties are ready. Varietal associations accounted for less than 10 % of areas cultivated with swede rape in France in 2000<sup>(2)</sup>.

3.5. As the Committee has already stated in its opinion<sup>(3)</sup> on a 'New impetus for a plan for plant protein crops in the Community', support must be given to the research and development of new varieties in order to improve the productivity of these plants. For this reason, the Committee welcomes the Commission's initiative, whose aim is to include the marketing of hybrids and varietal associations of oil and fibre plants within the scope of Directive 69/208 by 30 June 2002.

#### 4. Specific comments

4.1. The seed of hybrid varieties or varietal associations is produced with the help of targeted cross breeding using pollination between a sterile male line and another male line. In this context, the practices used to secure varietal purity are very important, although the practice of cross-pollination and

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(1) Data obtained from AMSOL (a French oil-plant seed sector association) and GNIS (a French seed trade grouping).

(2) Data obtained from AMSOL (French oil-plant seed sector association).

(3) EESC opinion CES 26/2002 (OJ C 80 of 3.4.2002)

Brussels, 17 July 2002.

unpredictable weather conditions make it impossible to obtain 100 % varietal purity. The annex to the decision establishing the Commission's temporary experiment focuses on means of producing certified seed with a view to guaranteeing the varietal identity and purity of seed lots.

4.2. Although these issues fall under the committee procedure (Standing Committee on Seeds), the European Economic and Social Committee would stress that the Commission does not provide a review of the various criteria used or their relevance to varietal identity and purity.

4.3. The Committee calls on the Commission to present its conclusions on the criteria to be used to define varietal purity before 30 June 2002, bearing in mind that this element is set to become increasingly important as more work is done to enhance the genetic potential of varieties.

#### 5. Conclusions

5.1. The Committee welcomes the Commission proposal to make the temporary experiment with marketing hybrid varieties and varietal associations of oil plants permanent, as this measure may go some way towards helping the European Union to make good its major shortage of plant-protein-rich materials.

5.2. The Commission should nonetheless present a report on this temporary experiment, and more specifically on the criteria used to guarantee varietal identity and purity in seed lot production. The Committee would stress that the pressure to achieve results in the seed production sector makes it necessary to bring practice up to date using the most effective techniques.

*The President*  
*of the Economic and Social Committee*  
Göke FRERICHS