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2022/0016(COD)

NOTE

From: General Secretariat of the Council
To: Groupe "Ressources génétiques et innovation en agriculture" (Semences, plants et matériel de multiplication)
No. prev. doc.: 5742/22
Subject: Proposition de Décision du Parlement européen et du Conseil concernant l'équivalence des semences produites en Bolivie – Consultation écrite

DOCUMENT CAVIARDÉ ACCESSIBLE AU PUBLIC (03.12.2024). SEULES DES DONNÉES À CARACTÈRE PERSONNEL MARGINALES ONT ÉTÉ CAVIARDÉES.

Suite à la vidéoconférence informelle des membres du Groupe du Conseil "Ressources génétiques et innovation en agriculture" (Semences, plants et matériel de multiplication) du 25 janvier 2022, les délégations trouveront en annexe le texte de la proposition de la Commission, sans amendement.

Les délégations sont invitées à transmettre par écrit leurs observations éventuelles à la présidence (~~SUPPRIMÉ~~ ; ~~SUPPRIMÉ~~), avec copie au Secrétariat général du Conseil (LIFE.3@consilium.europa.eu), pour le 1 mars 2022 en fin de journée. En l'absence d'observations dans ce délai, le texte sera considéré comme soutenu par les délégations. La présidence a l'intention de soumettre la proposition sans amendement au Coreper en point «I», comme base d'un mandat pour engager des négociations avec le Parlement européen.

2022/0016 (COD)

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Council Decision 2003/17/EC as regards its period of application and as regards the equivalence of field inspections carried out in Bolivia on cereal seed-producing crops and oil and fibre plant seed-producing crops and on the equivalence of cereal seed and oil and fibre plant seed produced in Bolivia

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Council Decision 2003/17/EC² provides that, under certain conditions, field inspections carried out on certain seed-producing crops in the third countries listed in Annex I to that Decision are to be considered equivalent to field inspections carried out in accordance with Union law. It also provides that, under certain conditions, seed of certain species produced

¹ OJ C , , p. .

² Council Decision 2003/17/EC of 16 December 2002 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries (OJ L 8, 14.1.2003, p. 10).

in those countries is to be considered equivalent to seed produced in accordance with Union law.



- (2) Equivalence has been granted to those third countries by relying on the multilateral framework for international trade of seeds, namely the OECD Seed Schemes for the Varietal Certification of Seed moving in International Trade and the methods of the International Seed Testing Association (ISTA) or where appropriate, in accordance with the equivalent to ISTA rules of the Association of Official Seed Analysts. The Commission has also carried out legislative assessments and audits at some of those third countries in order to verify whether they meet the requirements under Union legislation before granting equivalence for the first time. Annual testing and reporting within the OECD framework, periodical re-auditing of laboratories for the ISTA accreditation, as well as official inspections in the context of Union legislation indicate that field inspections carried out in those third countries continue to afford the same guarantees as field inspections carried out by Member States and that seed produced and certified in those third countries continues to afford the same guarantees as seed produced and certified in Member States. Those field inspections and seed should therefore continue to be considered equivalent to Union requirements.
- (3) In 2016 Bolivia submitted a request to the Commission for the granting of equivalence to its system of field inspections of seed-producing crops and to seed of *Sorghum* spp. (sorghum), *Zea mays* (maize) and *Helianthus annuus* (sunflower) produced and certified in Bolivia.
- (4) The Commission assessed the relevant legislation of Bolivia and carried out an audit in 2018 concerning the system of official controls of seed production and seed certification of maize, sorghum and sunflower in Bolivia, and its equivalence with Union requirements. It published the findings of the audit in a report³.
- (5) That audit showed that there is a well-organised system for seed production and certification in Bolivia. The Commission identified some shortcomings and provided recommendations to Bolivia. Since Bolivia addressed those shortcomings by 30 November 2018, it satisfies the conditions set out in Annex II to Decision 2003/17/EC and the respective requirements set out in Council Directives 66/402/EEC⁴ and 2002/57/EC⁵.
- (6) Therefore, it is appropriate to grant equivalence as regards field inspections carried out in respect of seed-producing crops of sorghum, maize and sunflower in Bolivia and as regards seed of sorghum, maize and sunflower produced in Bolivia and officially certified by its authorities.

³ Final report of an audit carried in the Plurinational State of Bolivia from 14 March 2018 to 22 March 2018 in order to evaluate the system of official controls and certification of seed and their equivalence with European Union requirements, http://ec.europa.eu/food/fvo/rep_details_2_en.cfm?rep_id=4005.

⁴ Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (OJ 125, 11.7.1966, p. 2309).

⁵ Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants (OJ L 193, 20.7.2002, p. 74).

- (7) As Decision 2003/17/EC will expire on 31 December 2022, the period for which equivalence is recognised under that Decision should be extended, in order to avoid any risk of disruption of imports of seed into the Union. Considering the investments and the time needed for the production of seed certified in accordance with Union legislation, it is appropriate to extend that period by seven years.
- (8) Decision 2003/17/EC should therefore be amended accordingly,

HAVE ADOPTED THIS DECISION:

Article 1
Amendments to Decision 2003/17/EC

Decision 2003/17/EC is amended as follows:

- (1) in Article 6, the date ‘31 December 2022’ is replaced by the date ‘31 December 2029’;
- (2) Annex I is amended in accordance with the Annex to this Decision.

Article 2
Entry into force

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 3
Addressees

This Decision is addressed to the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX I

The table in Annex I to Decision 2003/17/EC is amended as follows:

(1) the footnote to the heading of the first column, 'Country', is amended as follows:

'⁽¹⁾ AR — Argentina, AU — Australia, BO — Bolivia, BR — Brazil, CA — Canada, CL — Chile, GB — United Kingdom, IL — Israel, MA — Morocco, MD — the Republic of Moldova, NZ — New Zealand, RS — Serbia, TR — Turkey, UA — Ukraine, US — United States, UY — Uruguay, ZA — South Africa.';

(2) the following entry is inserted between the entries 'AU' and 'BR':

BO	Ministry of Rural Development and Land Bolivia Av. Camacho entre calles Loaya y Bueno N°1471, LA PAZ	66/402/EEC – only in respect of <i>Zea mays</i> and <i>Sorghum</i> spp.; 2002/57/EC – only in respect of <i>Helianthus</i> <i>annuus</i>
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