



ESA European Seed Association

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**Recent developments in
Europe's policy on Biotechnology in Agriculture –
Authorisation, Coexistence, Thresholds...**



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What do we want? ESA's Mission Statement

ESA's mission is to work for:

- ◆ **effective protection of intellectual property rights** relating to plants and seeds;
- ◆ **fair and proportionate regulation** of the European seed industry;
- ◆ **freedom of choice for customers** (farmers, growers, industry, consumers) in supplying seeds as a result of **innovative, diverse technologies and production methods.**



Effective protection of Intellectual Property Rights?

▶ Biopatenting Directive 98/94/EC

- ▶ Negative societal image („no patents on life“)
- ▶ Implementation failures by MS
- ▶ Patent protection terms vs. authorisation delays

▶ Relation PVR – Patent

- ▶ Breeders' exemption only specifically regulated in few MS (D, F)

▶ European Patent (Community Patent)

- ▶ Still missing...

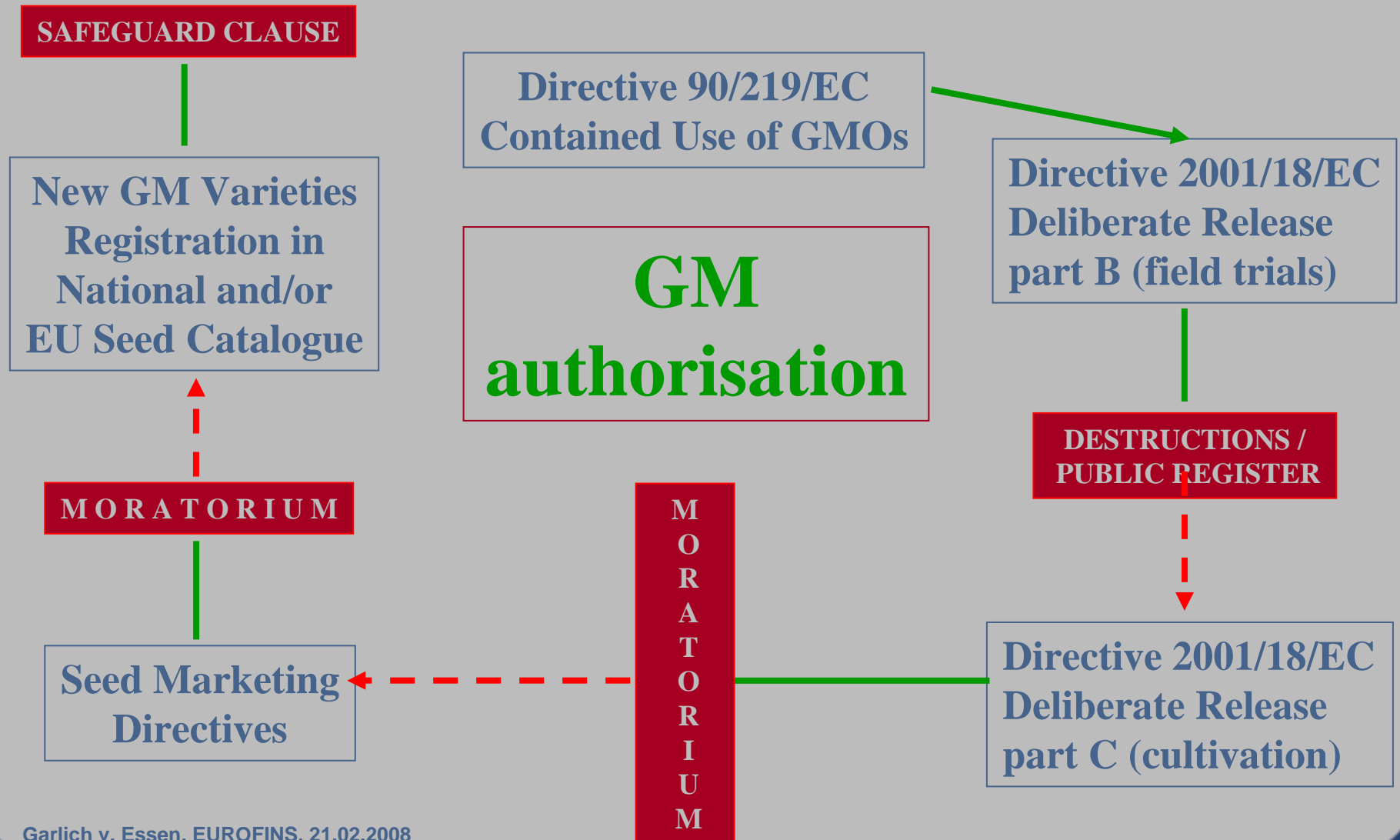
▶ Costs

- ▶ Too high, especially for SMEs prohibitive



Fair and proportionate Regulation?

► Authorisation (1)





Fair and proportionate Regulation?

► Authorisation (2)

- Positive scientific evaluation (EFSA) inconsequential for political authorisation (Council, Dimas)
- Lack of coherent and stringent policy - authorisations for import but no action on cultivation
- Excessive administrative and financial burden prohibitive for SMEs

Freedom of Choice?

► Enabling legislation still missing or excessive

- Thresholds for AP: still missing!
- Coexistence / Liability: excessive!
- GM labelling: incoherent and disproportionate!



A look back – slide from an ESA presentation of 2003...

[...

▶ *Adoption of GM varieties in farming worldwide*

- ▶ *Constant > 10% growth rates p.a.***
- ▶ *Constant increase of countries growing GMOs***
- ▶ *70.000.000 ha in 2003***
- ▶ *100.000.000 ha estimate for 2010***

▶ *Adoption of GM varieties in Europe*

- ▶ *Spain***
- ▶ *Bulgaria, Romania***

▶ *Continuing research including field trials in the EU*

...]



Access to innovative technologies? GMOs in commercial agriculture 2007

WORLD:

- ▶ 100.000.000 ha reached in 2006
- ▶ 114.000.000 ha in 2007
- ▶ 130.000.000 ha estimate 2008

DRIVERS:

- ▶ Productivity
- ▶ Population growth
- ▶ Increasing wealth (China, India)
- ▶ Limited fertile land
- ▶ Climate change

EUROPE:

- ▶ > 100.000 ha in 2006
- ▶ 100.000 ha in 2007
- ▶ > 100.000 ha estimate 2008

„DRIVERS“:

- ▶ Bové
- ▶ Dimas
- ▶ Sarkozy



The EU's performance

- | | |
|----------------------------------|-------|
| ▶ R&D support (EU funding; TPPF) | + |
| ▶ Innovation (field trials) | O |
| ▶ Authorisation for imports | O |
| ▶ Authorisation for cultivation | - |
| ▶ Political support COM | O (-) |
| ▶ Political support MS | - |
| ▶ Consistency, reliability | - |

Final score: not fit for promotion, not competitive



Consequences - for EU Seed Industry and Agriculture

- ▶ GM crop production now predicted at 200 mio. ha p.a. 2015
 - ▶ Growing GM crop production/trade = growing AP problem
- ▶ GM varieties account for approx. 15%-20% of the global commercial seed trade (2007)
 - ▶ Growing GM seed production/trade = growing AP problem
- ▶ Growing uptake of GM technology in Europe (?)
 - ▶ Growing GM crop/seed presence in EU = growing AP problem
- ▶ Number of „technology providers“ remains low
 - ▶ Relocation and concentration of R&D outside EU
 - ▶ Growing IP problem
- ▶ Growing innovation gap => loss of EU competitiveness
 - ▶ Growing liberalisation of agricultural trade (WTO!)
 - ▶ Misleading labeling (import GM feed/imported competitiveness)



What is needed?

- ▶ **Adopt and enact reliable authorisation provisions at attainable costs to achieve access to technology**
 - ▶ Synchronisation / equivalence

- ▶ **Set economically sustainable seed thresholds**
 - ▶ for all GMOs; differentiated
 - ▶ international cooperation

- ▶ **Set practical, non-discriminatory coexistence and liability provisions to achieve use of technology**
 - ▶ Breeders – Farmers – Politics

- ▶ **Develop and lead a policy for competitive agriculture!**



Why are GMOs such an issue the EU?

- ▶ Low trust in safety of high technology and consumer protection policy (full insurance mentality)
 - ▶ Tchernobyl
 - ▶ BSE
 - ▶ GM Rice
- ▶ Anti-Americanism
 - ▶ Peace and ecological movements
 - ▶ Iraq, Bush and beyond
- ▶ Fear of globalisation and modernisation
 - ▶ WTO
- ▶ Low appreciation of EU agriculture in societies (**change?**)
 - ▶ Supply assurance instead of production assurance
- ▶ Little understanding of needs / role of agriculture (**change?**)
 - ▶ economic function vs. multi-functional approach
 - ▶ State aid = payments for obedience



What do we need to do?

- ▶ **Unite for a competitive and sustainable EU agro-industry**
 - ▶ alliances (national, EU, international)

- ▶ **Voice common interests and positions**
 - ▶ Lobbying and outreach
 - ▶ Campaigning capability

- ▶ **Don't give up!**