# Notes of the international workshop on the implementation of the regulation for organic seed June 25- 26, 2020

**Work Package:** WP01 - Regulation & policy framework regarding production, use, and transparency of organic seed

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## About the report

This report has been produced in the framework of the Horizon 2020-funded project LIVESEED.[1] The main aim of LIVESEED is to boost the production and use of organic seeds and plant breeding for organic agriculture across Europe. It is co-ordinated by IFOAM EU, and its scientific coordinator is FIBL-CH.

Work Package 01 of LIVESEED explores EU Member States in terms of their implementation and best practices connected to the EU Organic Regulations, in the contexts of national regulatory and policy frameworks, specifically regarding the production, use, and transparency of organic seed.

As part of this Work Package, Bionext, in cooperation with IFOAM OE, ECO-PB, BEJO and FIBL organised a workshop for North Western European countries to discuss possibilities for improvements regarding the production and the use of organic seeds at the national and regional level. During the workshop, several stakeholder groups were present from each country (competent authorities, seed database managers, seed companies, research institutions, organic farmers, seed associations, organic certifiers).

The presentations and the main outcomes of the workshops are summarized in this report, while the presentations in detail can be found on the LIVESEED website, under results for WP1.

This report is recommended for national policymakers, and all stakeholders involved in the production and use of organic seed: national authorities, farmers, certifiers, producers, retailers, plant breeders, seed authorities, and the general public.

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[1] http://liveseed.eu

# Agenda of the Workshop



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# 1. Introduction session

Date: 25th June 2020; Moderator Eric Gall, IFOAM EU

## Welcome and introduction to the LIVESEED project and the aim of the workshop (Eric Gall, IFOAM EU)

The LIVESEED Project started 3 years ago in 2017, since then a lot has changed on policy level. The negotiations on the new Organic Regulation have been finalized and it will come into force presumably in 2021 [in the meantime, given the remaining work on the secondary legislation, EU institutions agreed to postpone its entry into force to January 2022]. The new regulation also includes some new rules regarding organic seeds and breeding. Recently the European Commission published the Farm to Fork and Biodiversity strategies, putting organic agriculture at the heart of a transition towards sustainable food systems, with a target to reach 25% of agricultural land under organic farming on average in the EU by 2030. This is an ambitious goal but it is achievable with the right policy support at national level to increase both organic production and demand. This EU ambition to upscale organic farming is relevant to the aim to reach 100% organic seeds.

The LIVESEED project has 50 partners all over Europe and 14 linked parties, covering 18 countries. Partners from breeding and research institutes, breeding and seed companies, and organic associations. The project is funded by the Horizon 2020 program of the European Commission and the Swiss government.
The goal is to boost the availability and use of organic multiplied seeds and organic bred varieties in organic agriculture in Europe. There are different work packages on: policy and regulation; seed health, breeding strategies, socio-economics, economy and market and communication and network.

The aim of this workshop is to:

- Provide an overview of current situation of implementation of the regulation on organic seed in North-Western European countries
- Identify measures to increase availability and use of organic seed
- Define action points for further improvement

Other regional policy workshops were organised in the course of the project. Another European wide workshop on this topic will be organized on November 25, 2020. The LIVESEED project ends in June 2021.

## Some relevant results from LIVESEED (Freya Schäfer, FiBL DE)

Within LIVESEED FiBL Germany has been involved in the national visits and workshops and in the farmer and seed supplier surveys. Also, they are responsible for the development of the router database.
An expert validation was conducted to double prove the results from the surveys
Some result of the farmers survey are:

- Highest share of organic seed per farm found in vegetable farms, in northern and central Europe, on farms which are selling directly to the consumers
- No differences between conventional and organic seeds encountered regarding germination or pests and diseases
- Most important actions ranked by farmers to boost organic seeds by farmers:
  - Improve availability of locally adapted varieties
  - More efforts in breeding for organic farming

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Some results from the seed supplier survey are:

- Most organic seeds produced in France and Germany, also in Austria, Italy etc.
- Turnover of organic seed sales has increased over the last years
- More than 70% say that there is an increase in the turnover
- 56% want to increase their investments in organic seeds over the next 5 years
- Problems:
  - Organic seed production is more expensive
  - Yield losses/volatility, weed contamination

In response to the question about the measures needed to enhance organic seed production, the seed suppliers and breeders preferred: more research into the economics of organic seed production, phase out derogations, stricter derogation rules in the next five years, more information about the market demand for organic seed.

A production analysis was conducted in all European countries and Europe was divided into a Northern, Southern, Eastern and Central EU region. In addition, an expert validation was conducted. This showed:

- Estimated from farmer survey: organic seed supply is way higher than according to the expert opinion
- Most organic seed supply in the central region, followed by the northern region
- Most organic seed used in vegetable and arable crops

Analysis of the demand and supply of seed and vegetative propagating material for 10 crops showed:

- Supply of organic seed for Lupine, Lucerne and Onions is highest, conventional seed share used is highest in tomatoes, carrots and peas

Focussing on wheat the analysis of demand and supply of wheat seed in EU and Switzerland in 2016 showed that 67% of the farmers in Central Europe used certified organic seeds compared to only 10% in the Eastern region. At the same time in the Eastern region the share of organic farm saved seed was significantly higher (43%) than in all the other regions.

## State-of the-art on the implementation of the regulation on organic seed in Northwestern Europe (Maaike Raaijmakers and Niels Heining, both Bionext)

For the 13 Northwestern European countries information was gathered about the organic seed database, the derogation process, expert groups, specific policies, organic breeding programs, variety trials, concerns, limitations and opportunities regarding the use of organic seeds.

Organic seed databases

In Northwestern Europe all 13 countries, except for Finland which has a PDF file, have an interactive database with a search function. Eight of these countries use the OrganicXseeds system, hosted by FiBL Germany. In OrganicXseeds, derogations can be applied though the database but not all countries use this option. In many countries seed suppliers can upload the seed offers themselves. This helps to increase the offers on the database and to keep them up-to-date. Norway and Switzerland (non-EU) also have a national organic seed database. In the new regulation also vegetative propagated material must be included in the seed database. Some countries have included this already.

Derogation process

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There is a huge difference in the implementation and strictness of the measures for getting a derogation for conventional untreated seed in the different countries. Most NWE countries work with different categories:

1. Category 1 is used if the amount of organic seed is sufficient so no derogation is possible. The Netherlands started with this system but in 2020 Belgium, France, Luxembourg , Sweden and Germany, are using category 1 as well. In Switzerland the private organisation BioSuisse has implemented a category 1.
2. Category 2 is for the single derogations and is used in case some varieties are available but not in sufficient quantities or variety diversity.
3. Category 3 is listing the crops for which there is no organic offer. Most NWE countries work with a general derogation list

All countries working with a category 1 also have expert groups (for different crop groups). The role of expert groups is usually to advice the ministry on which crop should be in which category. Except in Denmark: there the expert group evaluates which varieties are suitable for organic farmers in Denmark.

Policy and research

Some countries have implemented specific policies to promote organic seed production and use.
**In Switzerland** 95% of the organic farmers are a member of BioSuisse (private organic association). BioSuisse created a fund. For some crops, when using conventional seed, the farmers had to pay for the price difference between organic and conventional seed. This money was put in the fund to stimulate research on organic seed and breeding.
**Denmark** had a project to stimulate the use of organic carrot seeds. This was a private agreement between farmers and seed companies. It started with a low percentage and increased the percentage to use up to 40% organic seed. It was not obligatory so based on commitment only.
**The Netherlands**: have an ongoing project to organize the annual expert groups meetings and advice on derogation requests. Within this project also crop specific meetings are organized. In 2019 there was a meeting for producers of asparagus. As a result asparagus crowns are now on category 1.
The project is funded by the ministry of agriculture.
In several countries there are public or privately funded **organic breeding programs**. In Germany financing mainly goes through funds and supply chain programs. In Switzerland there are organic breeding programs for a wide range of crops. In the UK there is a special program for wheat and in the Netherlands for potato. In Belgium there are programs for spelt, wheat and potato (Wallonia) and grasses and clover (Flanders).
There are different types of variety trials in almost all countries in Northwestern Europe. More information about this topic can be found in ***D2.1*** *Overview on the current organizational models for cultivar testing for Organic Agriculture over some EU countries* (see www.LIVESEEDs.eu/results/wp2)

Concerns, limitations and opportunities

Concerns and limitations found among the database managers and other competent authorities are mainly relating to the lack of availability of organic seed on the databases and the lack of incentives for farmers to use organic seed.
Opportunities that were found are for instance the fact that farmers are open to use organic seeds if suitable varieties are available. Field trials can help to define what varieties are suitable. The new regulation for organic farming is seen as a step forward. Especially the fact that there is a deadline for ending the use of conventional seeds (2036) and the fact that the use of heterogeneous material will be allowed.

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## Questions and answers session 1

- Question: the turnover of organic seeds has increased; what is your opinion about whether this increase is because of a rising demand in countries for organic seed or because there are more organic farmers in Europe and therefore the demand rises automatically?
  - Answer: this depends on the country. For instance in France and Germany both is true: Major growth in the last five years for organic seeds, because there are stricter rules, but also the market for organic products is growing and more farmers converting to organic production need more seeds.
    Organic seed production for arable crops is growing because converting farmers can produce seeds in the first 2 years and sell it with a price premium.
    In eastern and southern countries there is not so much increase in turnover, most of the growth is coming from countries in central Europe.

- Question: Can you given an impression to what extend organic seeds among EU countries seeds are exported, what's the level of self-sufficiency and trade?
  - Answer: it is not possible for any country to be self-sufficient in their seed production, because the seed production must be located where the climatic conditions are the best for this. So there is a lot of seed trade. Especially vegetable seeds are produced and used all over the world. For arable crops this is different, for instance wheat is more produced locally for local conditions, so there is less trade. The same for the heterogeneous material. For forage crops there are a lot of countries where forage crop seeds are produced. In some countries they are then traded throughout Europe.

- Question: It is a challenge is to include the whole value chain, so supplier, trader and for instance consumers in this discussion. Are there some projects going on already in Europe that include some other parts of value chain?
  - Answer: as far as we know this is not the case yet in seed expert group. It will be rather difficult to motivate traders or retailers to take part in such groups. But there are some projects, where private partners help to increase the use of organic seeds. For instance; if farmers are member of a cooperative, they can buy the seeds collectively and they get a better price. There are also examples, where supermarkets ask for organic seed and support farmers to find organic seeds. Downside of this is that supermarkets often decide which varieties the farmers must use.
- Question: In the UK we have a general movement towards more diversity in seed mixtures being planted, for instance in forage, ornamental etc. Is there a same kind of movement in mainland Europe countries and are the regulatory issues tackled in LIVESEED?
  - Answer: The mixture issue is difficult because there are different opinions about this in Europe and different rules implemented. Some countries say 100% of the components of a mixture must be organic. In that case the diversity of the mixture is reduced because there is no availability of organic seeds for all varieties (especially wild herbs and flowers). Other countries have implemented a rate for mixtures, for instance in Germany 70% of the components of the mixture must be organic. Then there is another problem because all the seed that are the most expensive will be used in conventional quality and not only non-available components. Denmark has a flexible rule, they decide each year based on the supply what the minimum percentage of organic seed must be.
    In LIVESEED we only investigated which countries have specific rules for mixtures. We did not look at the tendency to use more diverse mixtures. Since there are so many different rules we recommend to install an expert group at European level for this topic to create a harmonised approach. Different percentages and varieties of conventional seed in different countries make a trade across borders very difficult.

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- Comments: Switzerland has different minimum contents depending on the nature of the mixture. In Sweden the minimum amount of organic seeds in a mixture is set yearly and depends on the crops.

- Question: Will the new organic regulation include organic production of (parental lines) for the production of basic seed?
- Answer: No this is not covered in the new regulation, only the seed for market production (seed propagation) must be organic. There is discussion about this but it is not included in new regulation. The definition of organic propagation material in the current regulation will not change in the new regulation.

- Question: My question is whether you were able to define certain "elements of success" regarding the organisation of the databases in the different countries? So, whether the managing by seed suppliers or database managers, or both has an advantage/disadvantage? Or what other elements can be identified that contribute to success?
- Answer: If seed suppliers can upload the seed offers themselves this helps to increase the offers on the database and to keep them up-to-date. It is important to make it as easy as possible for suppliers to manage their offers. The involvement of the database manager can cause a delay in the update. The database should be regularly updated, intuitive and easy to handle. The risk is that seed suppliers tend to leave offers on the database even when they are sold out. This can be avoided by checking if the offers are still available. Another element of success is the spreading of information about the database (how it works) to all important stakeholders (suppliers, control bodies, farmers). It is also good if farmers must use the database to apply for a derogation; then at least they must look at the database and know where to find it.
- Comment: Luxemburg is also active in the topic of organic seeds. A survey among market gardeners showed they are ready to use local seed. The problem is that there are only very few local vegetable seed producers. Most are international ones and they often produce hybrid seeds. Now there is a project about local organic seeds to get away from hybrids. This project will also be implemented in Belgium.
- Answer: Besides the fact that initiatives to produce more local vegetable seeds should be supported, we have to face the fact that over 60% of vegetables are sold in supermarkets. The farmers delivering to them often work with hybrids, and also this market must be supplied with organic seeds.
- Comment: LIVESEED is also focussing on breeding for diversity and looking at variety mixtures, composite cross populations, breeding for species mixtures for annual crops like cereal & legumes, or perennial forage crops like alfalfa and gras species, and we also look into challenges to breed for complex agroforestry system. And there is also in other European regions increased interest in more diversity (see also session 3) on organic heterogeneous material. The new organic regulation will allow much easier commercialization for organic heterogeneous material.

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# 2. Smart Practices

Date: 25th June 2020; Moderator Eric Gall, IFOAM EU

## France: Organisation of the seed system in organic farming in France (Mélanie Vanpraet, INAO)

The *Institut national de l'origine et de la qualité* (INAO) is a public administrative institution with legal personality, under the French Ministry of agriculture, food and forestry. INAO is responsible for the implementation of French policy on official signs of identification of the origin and quality of agricultural and food products, including products of organic farming. They promote the development of organic farming, and are responsible for the supervision of controls. INAO is also managing the organic seed database. The seed offers are modified directly by the suppliers.

There are 3 levels of organisation for the organic plant reproductive material (PRM) in France:

1) **The seed expert groups**. There are 5 seed expert groups in France (Field crops and potatoes, Forage, Vegetables, Arboriculture & small fruits, viticulture) in which all stakeholders are involved; representatives of seed companies, the government, research institutes (ITAB), farmers, suppliers.
2) The **Organic PRM National Committee**: Supervises the work of the expert groups, proposes developments, follow evolution, and are involved in work of other organisations.
3) **The National Committee for Organic Farming** (CNAB). Their role is to advise French authorities on the implementation of the regulation and propose changes for the organic regulation

<u>Derogation process</u>

There are 4 derogation categories:

1. General authorisation
2. Standard derogation (95%)
3. Alert screen (specific for France): sufficient availability, but not for the whole territory; crops on this list are nominated for the national annex
4. No derogation (national annex): updated every year

In addition there are specific systems for berries and aromatic plants. Derogation is only possible if the order is made in advance (18 months) by the farmers.

For organic forage seeds mixture France has a new rule since 2017. Each mixture must contain at least 70% organic seeds. The other 30% can be conventional seed from varieties that are listed on the general derogation list. Due to this new rule there is a decrease in the amount of derogation requests of 10.000 a year.

Regarding the derogations there are strict sanctions in case of non-compliance. For each derogation request an analysis of demand is made: each derogation is seen by a group of 3 national experts of the species. During annual controls of the farmer the derogation is checked with invoices. In case of non-conformity, the harvest is downgraded.

The amount of derogations per year is decreasing. In the period 2017-2019 they decreased by 16%. For some crops France developed progressive timetables in which the amount(%) of organic seed used by the farmers must increase every year. The advantage is that it allows farmers to discover

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other varieties then they used to grow. At the same time it allows seed companies to upscale their organic seed production gradually. The minimum share of organic seed is decided by the expert groups and evaluated/adapted yearly.

Two examples:
**Soft wheat**: on the alert screen in 2016. The aim was to put it on the National Annex in 2018. The effect was a sharp decline of derogations and an increase of organic multiplication area. In 2018 the weather conditions (drought) let to a decrease of the organic seed harvest with 40%. So there was a shortage in organic seed. But since then the production has increased a lot.

**Carrots**: aim no-derogation in 2018, was announced 7 years before in 2011 . This led to an increase in marketing and production of organic seeds. The 100% is not reached yet. New aim is 2022 with a progressive timetable. (see presentation)

If we look at the organic seed production there is a big increase in area over the last years; from 104 species and over 400 varieties organic seed is propagated (excluding vegetables). France has 108 seed companies, 900 multipliers and 2300 contracts for multiplication of organic seeds.

Remaining difficulties:

- Seeds with good germination ratio of biennial species
- Precise characteristics required by distribution system
- Complex market with high requirements linked to the mechanisation of sowing
- Low enthusiasm of seed companies to meet demand of organic agriculture
- Need for research in technical references (varietal screening)

To conclude; the change of derogation status (to no-derogation) is a real lever for the development of organic seed. The new organic regulation calls for an adaptation for this well-functioning system.

## Questions and answers

- Question: What is the role/amount of hybrid varieties and population varieties in France?
  - Answer: No difference between type of varieties, I cannot name a percentage
- Question: How is it decided that a crop will be in the warning category?
  - Answer: Discussion between experts in the groups, supported by statistics
- Question: How do you deal with this progressive timetable, for instance in the situation that 50% should be used, how is the seed divided between farmers, is the availability matching the demand?
  - Answer: Some seed companies have offers, some don't -> difficult for farmers, progressive timetables permits to have more offer in varieties also for the farmers to try, not a perfect system, no guarantee that this minimum percentage is a good number, but we have reactive committees and we can adapt/decrease this number each year
- Question: Who is managing the database and how often is it updated ?
  - Answer: Offer is modified by suppliers, if problem INAO is supervisor, very dynamic, each month new suppliers.
- Remark: The progressive timetable is very impressive, new way of working, everybody knows the route and the goals, step by step.
  - Answer: We should use this system for some species not for all

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## Denmark: Expert evaluation of varieties in seed database (Tove Mariegaard Pedersen, SEGES & Troels Battrup Andersen, Ministry of Environment and Food of Denmark, The Danish Agricultural Agency)

Denmark works with the organicXseeds database since the beginning of 2020.

Derogation process

When authorisation for a derogation is possible depends on the period of the year, to make sure seed companies have enough time to produce their seed and enter the seed offers and farmers have enough time for buying seed before sowing.
For instance, for arable crops:

- 15. Nov – 15. Jan: no derogation possible
- 15. Jan – 14. Feb: all agricultural crops with individual derogation option
- 15. Feb – 1. Jul: For spring crops derogation possibility depend on availability and expert evaluation of available varieties. After July 1st only individual derogation possible
- 1. Aug – 15. Nov: derogation possibility for autumn crops depend on availability and expert evaluation (exact date depends on the species)

If a derogation is applied for and equivalent and suitable varieties are available, no derogation is granted, unless the farmer has specific needs at his farm.
Crops that are not harvested, e.g. catch crops, must always be from organic seed regardless of the expert evaluation of the variety. The Danish Agricultural Agency use the expert evaluations of grass and clover for the process of approval of mixtures that are mixed/sold by seed companies

For potatoes there is a new derogation practice. The first of March is the deadline for derogation applications. Derogations can only be granted for two years for the same variety. If derogations are granted the variety will be put on a warning list. The intention is to move towards category 1 in the future.

For the use of mixtures there is a grass mixtures committee making recommendations for the composition of grass mixtures every year. The amount of organic seed in the mixtures is depending on the harvest. Some mixtures are 100% organic, some 95%, some might be lower.

expert groups

Denmark has 3 main expert groups: grass and clover, agricultural crops, vegetable seeds consisting of crop experts and for agricultural crops also the head of the official variety registration office. The impartial experts evaluate the offer of organic seed on the basis of suitability of the available varieties for cultivation in Denmark as an offer to seed companies. Different criteria are use in the expert evaluation. Varieties on the Danish national list are in general suitable for cultivation in Denmark (there are some exceptions), and varieties that are tested by an independent party in Denmark or in a comparable area abroad are evaluated based on the trial results. Mostly varieties are tested under conventional conditions, but ideally also under organic conditions. The experts also look at special circumstances. For instance, a variety that is suspectable to yellow rust is considered unsuitable for organic growing conditions.

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After the expert evaluation seed companies and the public are consulted. If there are objections, there will be a dialogue with the expert group who will take the evaluation to revision. If there is no agreement on the outcome, The Danish Agricultural Agency will make the final decision of the outcome.

Advantages of this system are:

- Farmers have more security in the choice of varieties and are not obliged to use a variety that is not suitable for Danish growing conditions
- Companies are less likely to sell not suitable varieties for organic farmers, get a warning when varieties are no more suitable and get time to look for a new variety for next season, and are more likely to enter varieties into variety trials to test performance
- Authorities can process derogations more easily - if suitable varieties are available derogations are in general not granted, and they are less likely to receive unnecessary applications for derogations if appropriate varieties are available.

Disadvantages of this system are:

- Results from conventional trials are not always valid for organic conditions – e.g. thresholds for disease susceptibility and information on weed competitiveness are missing
- Crops that are not used in conventional farming and that are not tested in organic trials cannot be evaluated by the expert group – e.g. population varieties of winter rye have become a challenge.
- Only few variety trials are performed in vegetable crops due to high expenses and farmers perform own trials.

But overall there is a high degree of confidence for this practice.

### Questions and answers

- Question: why does the possibility for derogation depend on the date?
  - Answer: In the old system (it's a bit different now): you wait until you are sure the seed offer is clear for all farmers ; you know what is available.
- Question: what about the liability issues and different climate conditions, in Germany we talked quite often about the possibility to increase test, and if crop fails, who takes liability?
  - Answer: The expert group is not liable, this is an issues between farmer and seed company, as for the climate conditions, you have to consider this for each different crop. Easy in Denmark because we are just one region. Tests from northern Germany might be OK for Denmark, for this we have the experts.
- Question: some of the limitation is that varieties are not tested under organic conditions, details on the situation?
  - Answer: We have a series of national field trials, but smaller crops are not being tested, and only some are organic tests, its more about the general growing conditions in Denmark

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## The Netherlands: examples of best practices from the perspective of a seed company (Bram Weijland, Bejo Zaden)

About the Dutch system

In the Netherlands we have 3 derogation categories. The expert groups are mainly organized around the farmers. The seed companies are more advisors on suitability, growing problems, availability. Purpose of expert group meetings is going towards 100% organic seeds.

About Bejo

Bejo is a conventional seed company with a large organic seed program since 20 years. Mainly concentrating on western Europe and USA. They see good growth in their sales of organic seeds; 20% for several years now. Their strategy is breeding for organic; selecting the best suitable parent-lines from conventional trial fields for the organic program at the earliest stage possible (combining the best of both programs). According to Bejo it would be unrealistic to expect that the organic assortment can have the same range as the conventional. A 100% of organic breeding program would reduce the variety choice heavily. Bejo now has 190 varieties in their organic program compared to around 1200 in conventional. They have around 25 organic trials in the Netherlands.

Recommendations for the expert groups:

- Ensure progress is made every year (small steps in a long term picture, specified for each crop)
- Be prepared for resistance due to the higher price for organic seed. In transplanted crops (for instance leek) the impact of the price of the seed on the cost price is much less
- Make crops experts from the farmers in the expert groups responsible for long term targets and make these targets smart
- If availability is limited and/or divided, cut up crops into segments (sub crops). it is easier to get a sub crop on the National Annex.
- Be aware that mostly only small steps of progress can be made at a time
- Compromise between farmers and seed companies needed

Examples of smart practices :

**Brussels Sprouts**. To move this whole crop from category 2 category 1 is very difficult because Bejo is the only main producer of organic seeds and the owners of some important varieties for the farmers do not invest in organic seed yet.
We discussed this in the expert group for several years and we organized an on farm field trial together with other seed companies so farmers have an overview of all the varieties.
Finally it was decided to divide the crop brussels sprouts in two sub-crops and put only " Brussels sprouts for early harvest" (until mid-November) on category 1.
Because it is impossible for the control body to find out if a farmer is harvesting before or after a certain date , a list of varieties for which no derogation is granted anymore was made.

**Carrots.** When France made the announcement to put carrots on category 1 for most companies that produce carrot seeds this was a big opportunity, but we also face a lot of difficulties.
Availability is key to a successful introduction. In organic seed production (in the USA) the Lygus beetle is quite a problem. Indoor seed production of carrot seed is not feasible economically.

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Germination dropped at least 25 %. We tried priming and sorting to get good seeds separated from the bad ones. We now give farmers around 20% extra seeds to compensate for the seeds that do not germinate. Farmers expectations must be adjusted, a 90% germination rate is not always possible for organic seeds.

**Leek**

Bejo has 25 leek varieties available as organic seeds but not of the market leading varieties. Therefor still a lot of conventional seed is used. We discussed this in the expert group and decided to make an announcement (following the example of France) that we have the intention to put leek (in total or one of the sub crops) on category 1 in 2021. One of the results is that we have two trials for autumn/(early) winter Leek in 2020 in which all the relevant varieties are shown. Four companies participate in this trial.

### Questions and answers

- Question: we now face the problem with some crops (mainly cabbage crops) that some seed companies that provide the varieties that many organic farmers use are not in the organic market yet. It is important to motivate those companies to invest in organic seed. What tis according to you the best strategy to do this?
  - Bram: You need to have a long-term strategy: specify for each crop where you want to be at what time, with constant evaluations; short step stones in a long term picture. That is what we need, to be able to provide the huge quantity of organic seed needed.
  - Mélanie: when we decide the off-derogation status, we know that there comes a time when farmers don't find the varieties they want, we know during 1,2, or 3 years the market is very difficult, but we know that and have to balance between the interest of seed companies and farmers to move forward

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# 3. The new organic regulation

Date: 25th June 2020, Moderator: Monika Messmer, FIBL CH

## The new organic regulation; changes regarding organic seeds (Martin Sommer, IFOAM EU)

**General information:**

- The new Organic Regulation is scheduled to enter into force on January 1, 2021.
  [In the meantime, given the remaining work on the secondary legislation, EU institutions agreed to postpone its entry into force to 2022]
- According to the new Regulation, derogations should be phased out by 2036. The feasibility of this deadline will be evaluated in 2028.
- Current state of play: Basic act agreed, delegated & implementing acts in the process of finalization and public consultation.

**What's new in Art. 12 – Seed Article (incl. Annex)**

- Database lists all available organic and in-conversion Plant Reproductive Material (PRM).
- Marketplace functionality of database (seed suppliers should be able to insert their offers themselves and free of charge) should promote that all available species/varieties are listed.
- Use of farm-saved in-conversion and organic PRM allowed without derogation
- List of species and varieties for which suitable organic/in-conversion PRM is available in sufficient quality ('Non-derogation list' or category 1) will be obligatory.

**Organic Heterogeneous Material (OHM)**

- **Bred and developed under certified organic conditions**: can be achieved through crossing of different parental material or through on farm management practices (at least 6 generations). It has a **high level of phenotypic and genotypic diversity** and to adaptation to certain (e.g. local, if intended) growing conditions and stresses due to natural and human selection over time. Due to that genotypic and phenotypic diversity OHM are **not a variety according to the current legislation:** not uniform, stability testing is not appropriate. However, quality standards such as sanitary quality, analytical purity and germination are specified. Member States shall publish list of OHM grown on their territory for transparency reasons.

**In-Conversion PRM (new category to be introduced with the new organic regulation)**

- Defined as: grown on field where conversion to organic started at least 12 months before harvest
- To be listed together with organic PRM in the database
- In general: In-conversion should be prioritised over non-organic
- Authorization for non-organic PRM can only be requested if: no variety of species is registered as organic or in-conversion in the database; no supplier is able to deliver in time; there is no comparable alternative; for research & trials

**Seed mixtures**

- If the seed mixture contains non-organic components, its use must be authorised in any case. Currently only 100% organic mixtures are guaranteed to be tradable within the EU. Currently, the Member states have different thresholds for non-organic components within the mixture. The new organic regulation might introduce an EU-wide minimum threshold for organic and

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in-conversion components in seed mixtures for organic to facilitate the placing on the market of mixtures with high organic and in-conversion content.

**Temporary Experiment on organic varieties**

- scheduled to start in April 2021, **more participation needed from member states**!
- Relevance:
  - Lower the market-access barriers for organic varieties
  - Increase availability of organic varieties
  - Test under organic conditions
- IFOAM EU recommendations: see position paper on PRM in the new organic regulation

## Questions and answers

- Question: About the Definition of OHM. What does that mean that high level of phenotypic diversity? Do landraces fall under the OHM definition or varieties that are not in the catalogue anymore? Speaking as a vegetable farmer, growing 50 different species, I can say that the variety I could not sell is the one that is too diverse. So this definition does not really fit in for vegetables, for arable crops it is okay, but not for vegetables.
- Answer: It was not allowed to market OHM before. At the moment it is only allowed to market registered varieties after DUS testing (and VCU testing of arable crops) and it is illegal to sell seeds from cultivars that are not registered. There is an easier registration process for conservation varieties and for amateur varieties for vegetables in restricted quantities only. With the new organic regulation it is now possible to market organic heterogeneous material of all crop species with simple notification without DUS and VCU testing. Organic heterogeneous material are genetically and phenotypically diverse and can be derived from complex crosses (composite cross populations) or farmers' selections of open pollinated populations and landraces etc.. This applies also to vegetable crops. However, this is not only relevant for the organic sector as uniformity per se is not a positive trait but mandatory for DUS testing defined in the Seed Directives, which are also applicable for the conventional sector, which must be as the circumstances require be adapted as well

- Question: in Germany but also in other countries, it is not clear how farmers should apply for a derogation if it is a seed mixture. In some countries, they can apply for one derogation for the whole mixture and in other countries, they must ask for a derogation for each component (and sometimes even have to mix the seeds themselves). What is the Commission saying about the mixtures and how to apply for a derogation request?

- Answer: The current discussion in Brussels is only about the packaging and labelling of mixtures with conventional and organic seeds. If a seed mixture contains conventional seeds from more than one variety a derogation is needed for each component. Unless the varieties involved are on a general derogation list. Then the farmer would not need to ask for a derogation for these varieties.

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## How to set up a National Annex? ( Maaike Raaijmakers, Bionext )

Since it is foreseen that a National Annex or non-derogation list will be obligatory in the New Organic regulation it is important to explain how this list can function in practice.

**What is a National Annex?**

- It is a **national list of (sub) crops for which sufficient organic seed or vegetative propagation material is available on the national territory**. Therefor **no derogations** are granted for the use of conventional PRM. Farmers must choose their varieties from the available organic assortment. It is also called a non-derogation list or category 1.
- Prerequisites are involvement of the relevant stakeholders, support and commitment from the farmers (e.g. seed expert group), **clear criteria to decide when a (sub)crop can be placed on the list** but also a flexibility to adjust to challenges like new pests and diseases or unexpected lack of supply .

**Seed expert groups a**re essential for input and support from the organic (seed) sector.

- Their role is to **advice** the competent authorities on the National Annex. They should have a **clear mandate** and meet at least annually.
- In most countries, there are **different groups for different crop types** (e.g. arable/forage crops, vegetables, fruits, potatoes, etc),
- They include different relevant **stakeholders** like farmers, seed suppliers, database managers , advisers, or researchers.

Possible **criteria** for (sub) crops to be added to the National Annex are:

- **The main varieties are available**. The list of derogations can help to identify the main varieties. If there are many derogations for a specific variety, this variety is an important variety for the farmers.
- **The amount/supply must be sufficient as well as the assortment** (for different soil types, regions, seasons and markets). For this, you can divide a crop into sub-crops (cherry tomatoes, vine tomato, etc.). So for instance, cherry tomatoes can be placed on the National Annex while vine tomatoes are still on category 2 (derogation possible).
- There are **at least two seed producers supplying seeds for this (sub) crop**. From experience we know that there is often one market leader and sometimes we struggle finding another seed producer - but still, we want to avoid a monopoly.

**Flexibility is needed**

- If all the organic PRM from a certain (sub) crop is sold out before the end of the sowing season, this (sub) crop can be temporarily removed from the National Annex and placed on category 2 again so farmers can receive a derogation. This should be an exemption and can usually be prevented. Before a (sub) crop is placed on the National Annex the availability and demand must be estimated and discussed in the expert group.
- Flexibility can be also achieved through allowing single derogations for small scale (on farm) field trials, research and conservation purposes.
- In addition in some countries it is allowed to use conventional seed for new varieties with new traits for which no organic seed is available yet. This derogation is only allowed for one year (or two years for biennial crops) until the seed company has produced organic seed. In the new organic regulation this option is also foreseen as a derogation “for crop innovation” which should be considered within the flexibility rule.

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## Organic Heterogeneous Material (OHM), what is it and what are the potential benefits for the organic sector? (Matteo Petitti, Rete Semi Rurali)

**Why OHM?** It is important for farmers to have a wide range of species & cultivar types with sufficient intra-cultivar diversity that are adapted to variable growing conditions and the demands of different value chains.

**What is OHM?** It is not a variety. OHM will be one of the 3 categories: composite cross populations (1) dynamic mixtures/populations (2) farmers selections (of landraces/populations) (3).
NGO's wanted to avoid a too narrow definition so farmers selections are included.

**The history and process:**
Harlan (*1929) and Suneson (*1956) have already conducted research on OHM. Harlan mentioned that the general perception was that variation was bad and uniformity good.
Martin Wolfe discovered that barley populations (CCP) had much higher mildew resistance than pure lines. The fungicide consumption for these crops dropped almost to zero.
For best results OHM seed should be produced in the same geographical region where it will be cultivated later on. Relating to the seed enterprises: OHM offer the opportunity to organic farmers to decentralise the seed market
Advantages of OHM: **low costs of evolutionary breeding method, exploiting specific adaptation and Genotype x Environment Interactions (GxE), Climate change adaptation**

**Legal framework:**

- "Heterogeneous Material" was first mentioned as a **new category of seed** during the negotiations on the new Seed Marketing Directive. After rejection of the Commission's proposal for this directive by the EU parliament, the Commission in 2014 set up a "**Temporary Experiment**" for the marketing of cereal populations. Denmark, France, Germany, Italy, The Netherlands and the UK participated in this experiment. In 2019 Hungary joined.
- **In 2018 OHM** was introduced as a new category of seed in the New organic Regulation 2018/848 (art 3). In this regulation also the rules for the marketing of OHM are defined.
- The results of the "Temporary Experiment" have been informing the Commission in drafting the **Delegated Acts regulating OHM seed registration and certification**. These delegated acts are the result from a negotiation between the Commission and all actors involved (IFOAM-EU, ECO-PB, Arche Noah & Seed Savers groups) and is as comprehensive/including as possible.
- **The LIVESEED project** played an important role in this process by developing a **toolbox for identification and description of OHM (Deliverable 2. 8)** and by disseminating their recommendations during several meetings with the Commission (DG Sante, DG Agri) and the CPVO.

**LIVESEED publications on OHM**

- D2.8 Proposal for a toolbox for identification and description of organic heterogeneous material

- M2.8 'Main outcomes and SWOT of experiences from marketing populations under the **Temporary Experiment** into the commercialisation of heterogeneous populations in the European Union' for an update on 2014/602/EU

**Practical examples of OHM in Italy:**

- Registered populations in Italy since 31.12.2018 from:

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Soft (bread) wheat: 8,
Durum wheat: 3,
Barley: 1

- The barley CCP from the University of Perugia (Mix 48) was used for the temporary experiment.
- Genomic analysis was performed to assess the evolution. Genetic markers showed genetic changes.
- In an fertile environment: same yields like common varieties. But in low production environments (as organic or low input farming) they performed better than common varieties.
- Solibam experiment: bread wheat seed sales increased (x2 to x3)
- OHM adapt to climate: comparison of adaptation between Tuscany and Sicily.
- Tomato experiment within LIVESEED. CREA-OF, for disease resistance.
- Courgette population: high variety for the market
- Dwarf bean, chickpea, maize CREA-CI and oat population:
- In pipeline lentils and rice

## Questions and answers

- Question: Looking at the actual situation with amateur and conversion varieties I think one concern is that they can only be produced in very limited amounts. This will not be the case for heterogeneous material so that is good. I have not seen the latest version of the delegated act. Why does it all have to live up to the same level of diversity? I would think that the CCP has the highest level of genetic diversity and I think that this definition can affect the use of landraces.
  - Answer: what heterogeneity is was difficult to define and we had to distinguish between varieties that still pass the DUS test. I don't think that this will be a limitation in practice and there will not be a restriction on the heterogeneity of this material. The OHM can have some challenges for the market, so there will be some challenges.
- Question: the temporary experiment, will it help to define this level of heterogeneity?
  - Answer: yes, we will have a report next year about the temporary experiment.
- Question: what does the term "operator" mean?, does this mean that only registered seed companies can sell seed or also others?
  - Answer: in my view it is the one who produces the seeds. But in the legal text there should be a definition of this term.

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# 4. Increase cooperation between countries with a National Annex to harmonize implementation of the regulation

Date: 25th June 2020, Moderator: Maaike Raaijmakers, Bionext

**Introduction**
The aim is to discuss options to create a level playing field and hopefully come to joint conclusions on how to proceed and create more cooperation between countries working with a National Annex.

Representatives of different competent authorities are asked to answer three questions:

1) What is according to you needed to come to 100% organic PRM use in organic farming? *Does your country have a national strategy for this or do you think a more international strategy is needed?*
2) On what topics would you like to cooperate more with other countries already working with the same National Annex system? *This can for instance be cooperation on the definitions of vegetative propagating material or on how to deal with grass seed mixtures, or align the national annexes from different countries.*
3) How should this cooperation be organized according to you?

## Short statements from representatives of the competent authorities

- **Germany**: Stefan Dreesmann from the Land of lower Saxony is working for the Ministry since 2002. Leading the working group on organic seed regulation since 2003. Organizes two expert groups in Germany. Dreesmann is responsible for the organic seed policy of the sixteen federal states. They have an expert group for arable crops and one group for vegetables. 20-30 people attend the expert groups. Since 2008 they discuss the category 1. They look at the capacity, the supply, of the varieties. Now they have nearly 30 varieties on category 1.
  1. We will continue the current approach and the New Organic Regulation should help to increase the progress. But 2035 is very close. In vegetables there is lot of work to do. More effort on vegetables is needed, a lot of arable crops are already on our National Annex.
  2. Currently it is hard to know what varieties are on the National Annex and which varieties are being discussed in other countries. Would be interesting to know this. Is it possible to get the same National Annex in 2 or 3 neighbouring countries? It would also be good to know in which cases exemptions are granted once crops are on category 1 and what the conditions are to do so (rules for flexibility).
  3. Discussions like we have during this workshop between some countries could be organized on a yearly basis.

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- **France:** Mélanie Vanpraët from the Institut national de l'origine et de la qualité (INAO)

1. Indeed 2035 is very close. All crops must be on the National Annex by then. There is a lot of discussion on this topic in France. We want to put all crops progressively on the National Annex. A question I often get is what the rules are in the other member states. Therefore increased communication between countries would be very helpful.
2. For us it's easier if the organic seed production itself is national. Easier to control. Lack of cooperation is a struggle for international trade. Creating a network in which we can exchange on practices would be needed. A network for sharing technical references between countries to know if a variety is also suitable for France. On our database we only have the French seed catalogue. Information on varieties from other countries is not available in French and therefore difficult to access for French farmers. Sharing information on how the control of organic PRM is organized. Sharing the list of crops that are on the National Annex in other countries, sharing difficulties, research.
3. To organize this we should create a network, not only from Northwestern Europe but with all member states. Regular exchange (once or twice a year) is possible and recommended.

- **The Netherlands**: Marien Valstar from the Ministry of Agriculture, Nature and Food. Responsible for the Dutch seed policy and gives advice on organic seed policy and regulation. Also responsible for the National Annex.

1. We already have quite an elaborate system in the Netherlands. We came a long way. I don't know if 100% is the best goal. Last 5-10% of organic seed can ask a lot of effort, maybe it's not worth it. There can always be new circumstances (seed production issues, new varieties, etc.). Only way to get to 100% is to be very tough on the farmers by forcing them to use certain varieties. You will punish the farmers and the market.
2. We would like to cooperate, share knowledge, on research and development. We put quite some money in new varieties and research. Organic farmers sometimes need other variety characteristics than conventional farmers. The market is not so big, so the government helps with funding organic breeding research. We are willing to participate in knowledge sharing.
3. I think we could have a look at the conventional seed market to see what we can learn from that. I would advise to set up a European common catalogue for organic seed. If a variety is registered in one country, it's uploaded in all countries. Organize the Annex on an EU level. There is a development in the European Commission to create a plant variety database with information available on the market for all countries.

- **Switzerland**: Matthias Klaiss from FIBL Switzerland and Biosuisse

Around 95% of organic farmers in Switzerland are a member of Biosuisse. The competent authorities publish the list of the different categories, but there is no national category 1. Biosuisse has stricter rules for derogations and there is a Biosuise cat.1. Decisions on what crop should be on which category are made by expert groups (Fibl advisers, farmers, seed producers). The categorization can be found on OrganicXSeed.

1. In my point of view there are some technical questions that need to be solved. The organic seed production of biennial crops is difficult. There are fruit, fodder and seed crops that are not very competitive and for which the production of organic PRM is very hard; this creates a very high price. We hear that a lot from the seed companies. Parental lines might not be fit for the organic conditions. Access to licenses can be a barrier. For fruit trees, there are some varieties we think are suitable for organic conditions, but organic producers have no access to the license. We need to cooperate with the value chain. Retailers and consumer expectation should be in line with what it means to go to 100% organic seed. Organic breeding is utmost important.

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2. Variety testing is big issue. There is a lot of effort going on in different countries, but no common protocol and results are not always available and comparable.

- **Belgium**: Laurence Chateau (Service Public Wallonia)
  1. There are clearly quite some difficulties we need to solve. We are working on a ten year action plan on the development of organic production. Organic seed will be included. We should focus on international research projects. There are not many organic breeders in Belgium, but we do have seed companies doing multiplication. The high price of organic seed is a major constraint.
  2. Cooperation is important, I agree with Stefan Dreesmann. First of all, share what is currently on the National Annex. There is already cooperation with Flanders. Time consuming to check all different annexes in different countries. (Note: there Is an overview in the LIVESEED booklet on the state of organic seed). Would be good if the rules on seed mixtures are the same in different countries.
  3. I'm not a big fan of meetings with all member states. A meeting like this one is very interesting and welcome. Also some more technical meetings would be needed.

- **Sweden**: Anne-Charlott Franzen from the Swedish Board of Agriculture explains the Swedish system Sweden uses OrganicXseeds. The expert groups meet twice a year. There are three groups; for vegetables, cereals and arable crops. We also try to convince companies to broaden the supply by discussing the needs of the farmers. Cereals are going well, vegetable seeds are a big problem. We have strict deadlines for uploading the supply; seed suppliers must upload their supply before the 20th of October for spring crops and before 20th of July for winter crops. Spring crops must be available after 1st of January and winter crops after 10th August (winter oil seed 20th July).
  - Category 1 : We call this crop demand. For crops on category 1 the rule is that as long as there is offer from this crop on the database the farmers must use organic seed. When there is no supply anymore, the crop goes straight to Category 3 for a general derogation, to reduce administrative burden.
  - Category 2: We call this variety demand. This is a list of crops where the differences between varieties are really large. Farmers get no derogation if the variety is on the database. Otherwise a general derogation applies.
  - Category 3: The general derogation applies for all crops for which there is no organic seed offer

## Discussion

- Question: **How can we get more progress?** In Germany the expert group for vegetable crops is not functioning optimal. There is not enough progress. The main obstacle in my view is that there is a federal system in Germany. So when a crop goes to cat. 1, farmers in the whole country must use organic seed from this crop. But when organic seed from this crop is not available anymore, a quick response is not possible. Therefore some members in the expert group are now against putting new crops on category 1. I wish to learn from countries like the Netherlands how they are handling that problem. In Germany we should try to set up an emergency plan for derogation for a crop on category 1. Moving forward towards a European solution, this would be a major topic.
- Answer: In Germany in the group for arable crops we usually make good progress with a common opinion. In the vegetable group, farmers used to agree, but not anymore. Main problem for the farmers is that there are not enough organic vegetable varieties. Varieties change quickly, farmers want to use newest varieties.
- Answer: In the Netherlands we have options to be more flexible with new varieties for a category 1 crop. If there is no organic seed available from a new variety a farmer can still try it out on one hectare. The farmer can also use conventional seed for one year, if the seed

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producer signs an agreement stating that they will start organic seed production from this variety.

- Answer: We have difficulties with this in France too, especially in fruit production. We allow a derogation for a max of 5% of the farmer's cultivated land of that crop. And a derogation for the first two years a variety is on the catalogue.

- Question: If I understand it right in Switzerland farmers pay a fee (comparable to the price difference between organic and conventional seed) if they use conventional seed. This fee is than put in a fund. Is the system still working like that?
  - Answer: It's only working for crops for which there is organic seed production in Switzerland. The fund is the result of cooperation between all actors in the value chain. When a farmer buys conventional seed, he must pay the organic price and the seed trader will give the premium money to the fund.
- **Question: how do we ensure that 2035 is going to happen?**
  - Answer: This is a question for everybody. A roadmap towards 100% organic seed is necessary for crops that are not on category 1 at the moment.
- Question: Can we as seed companies and authorities facilitate this process, and should famers in the expert groups be responsible for this roadmap. Would that be an idea?
  - Answer: This question is already discussed with the farmers and advisers, etc.
- **Question: How can we work more together? How can we prevent duplication of work?**
  - Answer: Look at the common catalogue in the conventional seed sector, we can learn from that process.
  - Answer: we should make an inventory of the main topics for discussion and organize workshops on specific topics with more background information

Moderator: In LIVESEED we make an inventory to see what the smart practices are in the different countries; what are the different solutions that already exist. But we cannot organize regular meetings. **Who could take the lead in organizing regular international meetings to discuss this topic?** Someone from the competent authorities, can they initiate that?

- Answer: With all the specified information offered this web meeting works really well. It's a good compromise to work on a European level without travelling
- Answer: I suggest to make a contact list as a start.
- Answer: LIVESEED was fruitful in this direction. Would be good to have another project like this, would be good if all of you support such a proposal.
- Answer: Maybe we can use the existing meeting on the variety testing and the DUS system which is on a European level

Moderator: Thank you all for your contribution. This meeting provided good input for the panel discussion tomorrow and for the policy recommendations we will give as LIVESEED to the Commission . There is another LIVESEED stakeholder workshop on the general outcome of LIVESEED on the 24th of November and another European workshop on organic seed and regulation on the 25th November.

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# 5. The seed database

Date: 26th June 2020, Moderator: Martin Sommer, IFOAM EU

## The national seed database in the new organic regulation (Xenia Gatzert FIBL DE)

**OrganicXseeds**

Currently 8 EU countries use organicXseeds. The website is hosted by FIBL DE and Xenia Gatzert is managing this database. You can adapt functions to your needs as a country so not all organicxseed-versions in the 8 countries using it are similar. Farmers ask for a derogation through the database, so they must check what varieties are available on the database first. Their derogation request is directly sent to the control body or other competent authority in charge. The farmers also get the authorisation via the database.

**Changes in the new regulation regarding the seed databases**

- There will be an additional database for animals and juvenile aquaculture.
- New types of seeds can be added to the database; in conversion seeds (it should be clearly highlighted if it is organic or in-conversion) and organic heterogeneous Material
- The quantity of seeds per variety should be added and the period of the year of its availability.
- It will be obligatory to have a list of species for which no derogation is granted (Annex or Category I). Since the European Annex is empty, the new regulation is asking the member states to create a national Annex.
- All seeds that are on the database should be considered as "available" in the country. So, the database is crucial for organic seed use. This is also an incentive for seed suppliers to really list all available seeds.
- Each Member State shall ensure that a regularly updated database is established. However, definition of regularly is missing (once a month can be regular or every three months etc.) This can be demotivating for users, when database does not reflect the actual situation. As an example, in organicXseeds seed suppliers can change the offers themselves. This helps to keep the database updated.

**Practical examples of implementation**

In the organicXseeds database some of these new requirements have already been implemented**.** For instance, under "seed quality" the seed supplier can choose for "in-conversion" seed and under "breeding method" they can choose "organic". Heterogeneous Material can be added as a "selection type".

The quantity and availability is indicated through a traffic light system. The indication of the quantity has been a major point of discussion. Very regular and detailed updates are not feasible. Since the seeds of one variety are often offered and sold in different countries it is hard to give an actual update of the availability. Consensus could be found to put key data on the database: first indication of availability directly after harvest "available" (green light), "currently not available" (red light) and "available from date" (yellow light).

On the derogation form, organicXseeds always lists the offers that are currently available of a certain crop, when the farmer asked for the derogation, so that the control authority can check the availability of similar varieties. OrganicXseeds will also add the varieties with yellow traffic lights to that derogation form. This could mean in practice that the farmer must wait until one yellow light is

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green (available) again. For instance in case it is stated that the variety "will be available from 27th December on".

**Draft implementing acts**
The implementing acts are not adopted yet so there might be some changes in the final version.

The main changes in the **reasons for a derogation** are:
Under reason c it is specified in more detail what an appropriate variety is.
Under reason d "for product innovation" is added as an new option for obtaining derogations. However there is no definition yet what it means in practice.
New is also the mentioning of in conversion seed. If the data in the database show that there is not enough organic PRM available, in conversion PRM may be used. But it is not clear if a derogation for in-conversion seeds is needed.

General derogations can still be granted but the farmer must keep records of the quantity used and the competent authorities must list the quantities of authorised non organic plant reproductive material in their country.

Questions and answers

- Question: How is it going to be for seed mix producers? How is seed converted there? In my understanding, it is difficult to create seed products on conversion areas because the risk lies with the company.
  - Answer: it is not clear yet. Still in the discussion (in the context of the implementing acts). At the moment it is for forage seed mixtures, but it will be broadened, however how it will be broadened or if it really will be at the end, nobody knows yet.
- Question: Quantity listing: if we do this per country, how is it possible to do update during the season? Because if we sell it across countries it is difficult. I also wonder if this is conform other European rules to be so transparent. Companies can use this market information for a better price.
  - Answer: It can be possible to update quantities during the season, technically it is no problem. However, the minimum that should be given, that fulfils the requirements of the EU regulation, should be given at the beginning. So it could be that you start with 500kg in country 1 and 500kg in country 2 and in one country it is sold out, you can turn the traffic light on red. Regarding your second question, yes, this was also an issue for the German suppliers because this is against the competition law. They want to ask a lawyer to sort this out so at the moment I cannot say anything about this.
- Question: How do organic breeders get a certification? What is the definition of organic breeding?
  - Answer: Until now there have been only private standards for organic breeding defined by the European Consortium for Organic Plant Breeding (ECO-PB), IFOAM Organic International, DEMETER Germany, Bioland etc. It is common to all standards that an organic cultivar is bred under organic conditions. Bioverita is an overarching label for products derived by organic bred varieties. There is a certification procedure for each organic breeding initiative and for each organic bred cultivar.
    The new regulation speaks about an "organic variety suitable for organic production". This definition is quite vague and this will be part of the implementing rules. The breeding can be organic from the start or only certain selection steps are under organic conditions. In Switzerland the private label Bio Suisse has implemented already different categories for cultivars derived from (1) Organic Breeding, (2) Breeding for organic or (3) conventional breeding programs.
- Question: You said the list of species for category 1 is compulsory. Can you explain?

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- Answer: in the New regulation it is foreseen that each country must have a list of crops (species) for which no derogation is possible. But of course if the availability of organic seed on the database is not sufficient the competent authorities have no obligation to put crops on category 1. So in practice the list can be empty. Member states just have to show how they will get to a decision for category 1. And they need to report to the commission every year which (sub) crops are on this list.

## Implementation of the EU level router database, to link seed offers within the European Union (Freya Schäfer, FIBL DE)

In 2013 there was already the first discussion about the advantages of an European router database to increase the transparency of the availability of organic seed in Europe. FIBL Germany created the European database within the LIVESEED project and it will be officially launched on the 24th of November 2020. After this date we will still have all country-owned national databases and in addition one EU-level database. This EU router database acts as an interface to all national seed databases in the EU and in Switzerland.

The EU database is intended to be used only by seed suppliers and control authorities, or other designated bodies like database managers. They will receive a log in.
**For organic seed suppliers** there will be two options: enter organic supply data only at the national level or enter the data at the EU-level.
The **competent authority** (or other designated body) will have the responsibility to:

- check the seed supplier; is it an organic supplier
- check the seed offer; is it suitable for the country
- when accepted: transfer the seed offer to the national database. This can be done automatically via an Automated Programming Interface (API) or via..

Seed offers can also be rejected by the national authority but only with a reason; for instance because information on some varieties is missing. A list of reasons id made and will be finalized soon.
The seed supplier will be able to see this reason and have the opportunity to add information when needed.
**Organic farmers** still need to check the organic seed database at a national level for the national offer of organic seed and, when needed, to ask for a derogation.

The EU-database will be available in all EU-languages and it will also offer public information (outside the login) about what seed suppliers are operating in the different countries and for which crops they offer organic seed. The information on the varieties offered will only be displayed at the national level.

All countries using organicXseeds as a national database will have the automated programming interface (API). Within 24 hours an offer that was accepted on the EU database will be displayed on the national database, when accepted. For other countries API's can be made as well.

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## Questions and answers

- Question: In France we have a new database (since 2018). We can ask to remove offer and we can disactivate offers. Is it possible to adapt this in the EU system as well ?
  - Answer: yes, there is the possibility to put down the offer at any time. Even if you have accepted the offer at the beginning but you want to delete it from the database, you can reject the offer at a later stage. And if the amount is not sufficient you can reject the offer and with the automated programming interface we can help with the translation of offers from the EU database into the French one.
- Question: you said that this is EU router database is especially developed for countries that have not much offers, but I think this is overall a good idea. What could be reasons for rejections? Could an Italian company without information in our language offer seeds in Denmark?
  - Answer: We have not finally defined the different reasons for rejection. We will provide a list of reasons like we have in the regulation and we will group the different reasons and give the opportunity for a free text box. In your example the reason could be “lack of information” and then you add into the text box that you want to make sure that there are no language barriers. So then the seed company can add information about a contact person/national agent located in Denmark.
- Question: will it be possible to make a distinction between the distribution channels? For example we only sell to wholesalers or resellers and not directly to farmers. Can we make it so that our offers are only visible to the trade and not to the farmers?
  - Answer: The seed supplier can put the information of the offer into the EU database and then go to the national databases for more precise information. But the idea of the EU database is that there is only one interface for the seed suppliers. If the supplier is operating in different countries that it is more easy to get the offers into many national databases.
  - Question: Using the EU-level database via tablet and cell phone? Or is it not suitable for other devices?
  - Answer: Yes, we are planning to do this.

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# 6. Strategies on how to reach 100% organic seed

Date: 26th June 2020, Moderator: Eric Gall, IFOAM EU

Panel discussion with different stakeholders:

- German competent authority – Stefan Dreesmann (State of Lower Saxony)
- Seed company - Bram Weijland (Bejo Zaden)
- LIVESEED project – Monika Messmer (FiBL Switzerland)
- Danish competent authority – Troels Battrup Andersen (Danish Agricultural Agency)
- German Farmer's Association – Wolfram Dienel (DBV, Organic Unit)
- EU competent authority - Thomas Weber (DG SANTE)
- EU competent authority – Patrizia Pitton (DG AGRI)

Before the discussion starts, Maaike Raaijmakers (Bionext) gives a short overview of the main smart practices that where presented during the workshop so far:

- Good working database with more features, for instance to gain statistics.
- Most Northwestern countries have an interactive database, but much can be improved.
- Make it easier for suppliers to offer seed in different EU countries, to increase the offer on national databases: the router database can facilitate this.
- Install expert groups for different crop groups to discuss how to move forward. For instance what crops should be placed on the non-derogation list.
- Implement a National Annex (non-derogation list).
- France: create a 4th category called the alert screen for crops that are soon to be placed on non-derogation list. This give farmers and supplier the opportunity to adapt to this.
- Also in France: create a progressive timetables to reach category 1 step by step.
- Denmark: evaluate varieties for use under organic conditions.
- Denmark: Make equivalent list with varieties that have same features and can be substitutes.
- Denmark: Crops that are not harvested (catch crops): only organic seed allowed.
- Vegetative material is not storable: therefore farmers need to order in advance: 1,5 years for fruit trees, before 1st of February for potatoes.
- Farmers want suitable organic varieties.
- Heterogenous material should be used; mainly known in arable crops but also some experience in vegetables
- Seed suppliers want a focus on phasing out derogations and more information about the demand for organic seed.
- Breeding for organic: select suitable parent lines from conventional trials in an early state and test them under organic conditions.
- It helps if seed companies sell only organic seed from the varieties that are preferred in the organic sector. If there is no conventional untreated seed available, farmers are forced to use organic seed.
- Organise organic field trials, so farmers can see the performance of varieties under organic conditions.

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***Question to all panellists**:* What do you see as the main bottleneck and opportunity to reach 100% organic plant reproductive material (PRM)?

The following bottlenecks were mentioned:

**No level-playing field**

- There are still big differences in the availability of organic seed and in the rules for the use or organic seed, between EU countries.
- Due to the big price difference between conventional and organic seeds; producers who can buy conventional seed now have a competitive advantage over farmers (in another country) that are obliged to use organic seed.
- This is not only the case for seeds but also for transplants (seedlings). Organic transplants can be produced with organic or with conventional seed.

**Insufficient availability of organic seed**

- LIVESEED research shows this is the main disincentive for farmers to use organic seed
- The obligation to use organic seed limits the choice for farmers; varieties that are not propagated in organic quality, will no longer be available for organic farmers.
- Seed companies won't invest in organic seed production unless farmers are buying their seed;
- Therefor more incentives for farmers to use organic seed need to be created.

**No clear plan or roadmap to get to no derogations in 2035**

- We need stepstones and intermediate checks to come to 100% organic PRM
- There is no sense of urgency. We all need to go full force ahead to reach our goals.
- There are no reliable statistics to calculate the supply of and demand for organic seeds in different countries and crops.

**Scaling up organic seed production**

- Looking at the data we collected within LIVESEED on the current supply and use of organic seed the seed production must at least double until 2036. And if we keep in mind that the farm-to-fork strategy aims to increase the organic farming area from 7,7% to 25% in 10 years, much more organic seeds will be needed. It will be a big challenge to produce all this seed.
- It is already difficult to produce sufficient organic seeds for all countries, especially for crops that must be propagated outdoors;
- Sufficient quality is sometimes difficult to reach, it is possible that we must accept a different quality standard for organic propagated seeds, maybe we cannot reach a 92% germination rate, for instance for carrots;
- When seed availability is lacking behind and untreated remains the standard, it is hard to make progress, because the standard is setting the price;
- It is very challenging to find sufficient organic farmers to produce the seed in the different regions in Europe. Farmers need to be skilled and it must be economically interesting for them to switch to seed production.

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The following opportunities and recommendations were mentioned:

**Good implementation of the rules for organic seed use in every EU country**,

- Strict derogation rules work: category 1 is a very powerful tool to increase production and use of organic seed
- No derogation when organic seed is available works for farmers. At the same time it is important that derogations remain possible for new or very specific varieties for which no organic seed is available (yet).
- By establishing a level playing field there will be a better competition and market.

**A roadmap towards 100% organic PRM**

- Every country should have a roadmap on how they want to reach 100% organic PRM by 20**36**.
- Make it obligatory for each member-state to develop a timeline, with stepping stones, for the main species that are grown in their country on how to reach the aim of 100% organic PRM.
- Monitor progress at the national and the European level.
- Cooperation between countries and companies is important to avoid monopolists or no offers at all in certain countries.
- Set realistic goals. First try to achieve 80% organic PRM in all European countries for the main crops. Then we can talk about the last 10-20% which will be more difficult.
- Once we have reached 90% we can discuss if 95% is sufficient to reach but now we should set this strict goal of 100% by 2036, to have a clear timeline

**Varieties with an added value for organic farmers**

- Breed varieties adapted to organic farming so farmers can derive added value from them
- Companies must produce more unique products for the organic market. This can create a very strong demand. For instance mildew-resistant onions.
- Support organic farmers in adapting to climate change; produce resilient varieties
- Heterogenous material offers great opportunities and will help to reach the aim of 100% organic PRM. Market access can be supported

**The EU router database**

- This will increase the transparency in the organic seed market and give more security to farmers and seed companies.
- Not every country has enough producers themselves so they need seeds from abroad
- The router database can help to get more organic seeds on the market

**Support local) organic seed production**

- Support farmers cooperatives on a regional level to produce their own seeds. Support them in capacity building, the infrastructure (drying, cleaning, packaging) and quality testing so no diseases will be spread.
- New seed companies should start to invest in organic PRM. It is a growing market
- In some countries subsidies for organic seed producers can be an option

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*Moderator:* We heard a lot about the aim to get a playing level field and that countries should have a clear road map on how to reach the 100% aim with actions and timelines. What is the response from the Commission to this?

*European Commission:* We haven't discussed yet the regulatory background and the contribution of the seed marketing legislation; there is a lot planned. For instance the specific testing regimes for organic varieties. There will be a temporary experiment for that. Another crucial question to answer is how can organic breeding be sustainable financed?
Regarding the opportunities several legislative initiatives were mentioned. We will work on them. Also the new policy background with the Green deal and Farm-to-fork strategy will help the organic sector. Changes that are needed in the seed marketing legislation are examined now. We asked to carry out a study to find out the options and signed a contract to start data gathering. There will be a stakeholder consultation in the coming months.

*European Commission*: What can the Commission do to reach a level playing field? The Commission has tried to establish a level playing field and to harmonise rules between countries. With the new Organic Regulation they have tried to address the bottlenecks and took LIVESEED results and the experience from member states, into account. Derogations should phase out, because they are seen by stakeholders as a bottleneck. With respect to the delegated act on derogations we are in final phase of adoption. After adoption it can be implemented. New elements in the future are for instance the Annex on category 1 which will be obligatory. Member states have to identify crops for their country on category 1.
The Commission will take much care to follow up the implementation of the new regulation in the member states and document the progress; they will survey how member states measure their progress. It is also planned to create a platform to collect and to publish reports from member states in one place; to share them and to share information. And the Commission is working on the organic action plan; find out what measures are needed to support the aim to reach 25% organic in 2030.

In response to the comments on draft implementing rules I would like to clarify that the delegated act is already agreed on: in-conversion seeds are still free to use, but farmers have to acknowledge that organic is top-priority, when no organic seed is available in-conversion seeds can be used and farmer needs to check this first, but no derogation needed; but the hierarchy should be maintained, that is how it is regulated in the current proposal.

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**Discussion with the other participants**

definition for organic breeding needed

- *Participant*: A definition of Organic breeding is called for, because the new Regulation mentions Organic Varieties. As a farmer breeder and representative for organic breeders I would like to add that the organic diverse dynamic market, needs diverse organic seeds and divers organic varieties, so the definition of organic breeding in the implementing rules is crucial. We recommended to keep the definition simple and basic. There should be a clear distinction between organically bred varieties and varieties bred for organic. I don't think the authorities should make a definition for bred for organic, because it would put a step in between conventional and organic breeding.
- *Panellist*: I do not totally agree. There is a lot to be learned from conventional companies also, so ideally we can use resistances and breeding results from conventional breeding and then transfer those traits into new systems, and not go totally to organic breeding because then the range of choice and solutions for farmers will be limited. So yes, organic agriculture should go their own way but shouldn't throw away everything from the past.
- *Participant:* organically propagated seed can of course be of any suitable conventionally bred variety. So first things first. But the future needs some paving for too.

seed sanitation

- *Participan*t: There is a big need for sanitation of organic seed. In Sweden we use hot water treatment for cereals. We also start to use it in conventional seeds. Bejo does it for vegetables seeds for a long time. But when this is the practice, is there no need to increase the amount of good seed quality by sanitation measures?
- *Panellist: This is a* very good example of how organic and conventional can work together. For organic we developed the hot water treatment system especially for carrots seeds sanitation, over the years we have developed and improved it to use less water and improve the quality of seeds. It is working so well that we are also using it for conventional seeds now. The same happened with the steam treatment for onion seeds.

financing organic breeding projects

- *Panellist*: In the LIVESEED project different business models were discussed: involve value chain or support breeding by public funding. There are still a lot of public breeding institutes especially in Eastern countries and now with the farm-to-fork strategy it might be interesting if those can be converted to organic breeding institutes.
- *Panellist*: A breeding program in Bavaria (Germany) aims to develop a platform for pre-breeding varieties and testing opportunities for breeders. Also looking how to improve the legislation and to make it easier to get new varieties on market. Registration is very expensive, therefore it would be good to have some sort of pre-marketing in a certain area.
- *European Commission*: For the upcoming temporary experiment and field trials; member states need to invest. We don't have a dedicated budget for it. The organic action plan mentions that in the upcoming research framework the projects and results going on should be continued to research for varieties on organic seeds etc. Financing is an issue for years now. Funds have to come from as many directions as possible, also downstream stakeholder

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in supply chain should be included in financing organic breeding. This will be discussed in the future.

Financing the router database

- *Panellist:* The Commission should push the router database and find a solution for financing of the router database. According to the new regulation the access to seed databases should be free of costs, so someone else has to pay for it. Maybe the member states or centralised by the Commission.
- *European Commission*: regarding the router database there were already some sessions on it and we will continue to push this topic and develop it further also with respect to the organic animal database, In terms of funding they cannot promise anything right now, but it is in their focus.

Priority actions for national competent authorities to reach 100% organic seeds

- Main issue for farmers is the unfair competition due to price differences between conventional and organic seeds.
- Therefore creating a level playing field is necessary. In Germany for instance around 30 crops are on category 1, but it is difficult to make progress. Farmers ask why should we do this while other countries do not put crops on category 1? They compete with us and the price difference is very high, especially for vegetables. This is not fair.
- If price stays one of the main topics and we don't dare to make steps for more obligatory seed use, seed companies who are not active know in the organic seed sector will be very hesitative to start with an organic program. The expert groups need to show some real ambition.
- We must strengthen the cooperation between the stakeholders in the sector; suppliers, farmers, authorities.
- Important for expert groups to involve traders, purchasing organisations from supermarkets etc. They often decide what varieties the farmers must use. And these (hybrid) varieties are often not available in organic. So farmers are stuck in between authorities who want them to use organic seeds and supermarkets that want them to use (conventional) seed from specific varieties.
- I want to support the suggestion to involve more stakeholders in the supply chain. We have a project in the Netherlands for organic potatoes and there all stakeholders including retailers agreed to only grow and buy phytophthora resistant varieties. This concept could be used in other crops as well.
- It is important to have a Category 1. We need to make progress every year. Maybe it would be good to have a percentage in the regulation about how many crops more should be on category 1 every year.
- A functional database is also very important to move forward
- A roadmap for each country would be the biggest priority. Make seed companies advisers and let farmers take the lead under guidance of the authorities. Not too ambitious with clear stepstones in between. Formalise the role of the expert groups. Ask every country to have one and define their role, make them responsible.
- Cooperation between neighbouring countries is important to solve practical problems like availability and transport.
- Support farmers that are involved in producing organic seeds and build up capacities,
- Convert public breeding institutes to organic breeding institutes

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- We are producing mixtures and that's why I doubt how realistic the goal of 100% organic seeds is. Especially when having diverse and complex mixtures with up to 20 components. The demand for the single components is limited in volume; and because of this small quantities needed no companies invest in producing them organically.

*Moderator:* It was often mentioned that a roadmap for member states is needed, making sure that action is taken in all member states. Could the new regulation contribute to that and maybe also ask member states to deliver such a detailed roadmap with the different steps?

- *European Commission:*: from the side of the seed marketing legislation there couldn't be something to force member states to have a roadmap. They can just set the regulatory framework, and member states have to follow that up. This is more something for the organic action plan.
- *European Commission*: I would like to confirm that Member States are reflecting on their objectives with regard to the green deal, farm2fork and biodiversity. Progress and measures will be included in an organic action plan. The Commission will then assess the plans to make them more transparent and measure in the future whether the rules are being followed by Member States and whether progress is being made.

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# 7. Closing session

Date: 26th June 2020, Moderator: Eric Gall, IFOAM EU

The notetakers give a short feedback of the results from the different sessions and from the group discussions (see presentation closing session)
After that the participants are asked to choose the action point with the highest priority in an online poll. The results from the poll show that establishing a clear roadmap is seen as the most relevant point.

- Clear roadmap 32%
- Capacity building for breeders and farmers 27%
- Installing/participating in national seed expert groups 16%
- Improving/managing well the seed databases 14%
- Increasing production & marketing of organic seeds via supply chain initiatives 11%

The moderator asks for some concluding statements

*Patrizia Pitton (European Commission)*: I hope that in the next workshop (in November) we can communicate further progress on harmonization of the reporting and on the rules for seed mixtures.

*Maaike Raaijmakers (Bionext):* Thank you for all contributions and for your active participation. We received very useful input from the sector. The wish for a level playing field has often been expressed. At the same time we must acknowledge that we can only reach that through national actions. Countries do not all have the same starting point. In the Baltic states and some East-and Southern-European countries a lot of work needs to be done on a different level. Countries with a well-developed seed sector and regulatory framework should lead by example. At the same time we can learn from those countries as it comes to the involvement of farmers in organic seed production. It is very good to hear that the organic sector can in some cases show an example for the whole farming sector. I hope to meet you all again In November at the workshop for all European countries.

*Bram Weijland (Bejo* ): First, Bejo will extend its offer to host a new meeting in November. Secondly, I applied for the testing phase of the router database. Finally, level playing field. Time is required to build up sufficient seed stocks. We also need more experienced seed growers. It becomes more and more difficult to find enough farmers for organic seed production. We need to encourage more farmers to grow seed crops. And finally I'm happy to see that the poll also shows that the roadmap is priority.

*Final comment from the moderator Eric Gall:* LIVESEED delivers results on the ground and in policy. It shows why it is so important that the European commission funds this kind of research projects for the organic sector.

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