

TRADE AND AGRICULTURE DIRECTORATE
COMMITTEE FOR AGRICULTURE

**Annual Meeting of Representatives of the National Designated Authorities for the
Implementation of the OECD Schemes for the Varietal Certification of Seed Moving in
International Trade**

REVISED DRAFT SUMMARY RECORD OF THE ANNUAL MEETING

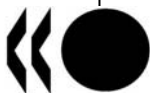
**Held at the OECD Conference Centre, Paris, France
11-12 June 2009**

This document was prepared by the Co-ordinating Centre and the Secretariat, in consultation with the Bureau of the Schemes.

The document is circulated to all Delegations and National Designated Authorities for INFORMATION and approval at the next Annual Meeting, to be held in March 2010 in New Zealand.

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Executive Summary

The Annual Meeting of the OECD Seed Schemes took place on 11 and 12 June 2009 in Paris, France. The primary purposes were to consider issues relating to the Varietal Certification and Control of Seed Moving in International Trade under the Schemes, consider an application from Ukraine to participate in two OECD Schemes, agree on proposals amending the Rules, exchange information and agree on both the Strategic Plan and Action Plan for the Schemes.

The Annual Meeting agreed on the following:

- **Japan's participation** was extended to the Cereal and Maize and Sorghum Seed Schemes.
- The **Strategic Plan** for the OECD Seed Schemes was adopted. Elements of it are already being implemented.
- Publication on the OECD Seed Schemes website of the varietal purity characters to be used for control plot tests and field inspection of seed crops for 72 species.
- Technical Working Group meetings will, in future, be open to all delegates and observers.
- Mr Perry Bohn, US, was elected as the next Vice-Chair of the OECD Seed Schemes.
- **The following amendments to the Rules of the Schemes were adopted:**
 - Revision of the wording of the text of Rules for Listing Varieties, Rule 9 (synonyms).
 - Admission of new species *Eragrostis tef*, (Annual bunch grass) and *Paspalum vaginatum* (Seashore paspalum) to the Grass and Legume Scheme and the List of Varieties.
- Ukraine's application for admission to the OECD Seed Schemes was discussed. It was recommended that the evaluation mission be completed in July in order to resolve some outstanding technical issues. The Evaluation Report would be finalised and distributed to all Member countries for adoption under the written procedure.
- The **Action Plan** for the OECD Seed Schemes will be revised for discussion at the Extended Advisory Group meeting in November 2009.
- Efforts to improve the List of Varieties and modernise its database for more frequent updating will continue. An interim List will be available on the Schemes' Website at the end of July 2009.
- Further work will be carried out on the statistical database for Seed Weights and Post -Control results.
- Further work will be carried out on updating the **Guidelines on Control Plots and Field Inspection (Part I)** by a sub-working group.
- Further work on multiplication abroad will be carried out by the Technical Working Group.
- Two Ad Hoc Working Groups were created: for reviewing the Vegetable Seed Scheme and for finding a solution to the problem of moving seed for trials from one geographic area to another.
- The first edition of the Newsletter of the OECD Seed schemes has been published.

- The next Annual Meeting (and WG meetings) will be held in Christchurch, New Zealand, week commencing 22 March 2010. The next Extended Advisory Group Meeting (and WG meetings) will be held in Paris, week commencing 2 November 2009.

3-6 November 2009 - OECD Conference Centre, 2 rue André-Pascal, 75016 Paris		
<i>Date</i>	<i>Time</i>	<i>Title</i>
3 November	09:30-13:00	Bureau Meeting
3 November	14:00-18:00	Ad hoc WGs
4 November	09:00-18:00	Technical Working Group Meeting (TWG)
5 November	09:00-13:00	Technical Working Group Meeting (TWG) (contd.)
5 November	15:00-18:00	Extended Advisory Group Meeting
6 November	10:00-18:00	Extended Advisory Group Meeting (contd.)
6 November	After Annual Meeting	Bureau Meeting
22-26 March 2010 - Christchurch, New Zealand		
<i>Date</i>	<i>Time</i>	<i>Title</i>
22 March	09:30-13:00	Bureau Meeting
22 March	14:00-18:00	Ad hoc WGs
23 March	09:00-18:00	Technical Working Group Meeting (TWG)
24 March	Whole day	Field Trip
25 March	10:00-18:00	Annual Meeting
26 March	10:00-18:00	Annual Meeting (contd.)
26 March	After Annual Meeting	Bureau Meeting

**DRAFT SUMMARY RECORD OF THE ANNUAL MEETING OF REPRESENTATIVES OF
NATIONAL DESIGNATED AUTHORITIES**

**held in Paris, France
11 -12 June 2009**

1. Opening remarks

Mr. Michael Ryan, Head of the Trade and Agriculture Directorate OECD Codes and Schemes Unit welcomed the delegates and introduced Mr Ken Ash, Director of the Trade and Agriculture Directorate.

Mr. Ash also welcomed the delegates and noted that the Seed Schemes represented a special kind of OECD activity which included significant involvement of the private and public sector. He informed the meeting that the next Agricultural Ministerial meeting will be held in February 2010, with the aim of trying to bring together Ministers and the political perspectives they represent to see if there is any realignment in their activities which could have implications for the Part II programmes.

Mr. Ryan then introduced Mr Wayne Jones, the Head of the Agricultural Trade and Markets Division in OECD.

Mr. Jones gave an overview of the past and current situation regarding prices and the outlook for the next 10 years. He considered that the agro-food sector was more resilient than others to the global economic crisis and a survey of 60 OECD based agri-food businesses suggested that the sector was coping quite well. The situation in developing countries was more difficult. Mr Jones reported that a Global Forum on Agriculture will be held at the OECD Conference Centre on 29 and 30 June 2009.

2. Election of officers of the Meeting

Delegates confirmed Mrs. Merete Buus, Denmark, as Chair of the meeting and Mr. John Kedera, Kenya, and Mr. Peter Johnston, New Zealand as Vice Chairs.

3. Adoption of the Revised Draft Agenda [TAD/CA/S/A(2009)3/REV1]

The Chair gave some changes to the draft agenda.

Under item 14.2, Draft Revised Guidelines, Part IV, there is a further paper [TAD/CA/S/RD(2009)1] for adoption. Items 13 and 14 would be switched around. Item 18 on synonyms and item 29 on future meetings would be discussed on Friday morning.

There being no topics under “other business” the revised draft agenda was adopted.

4. Report on the Bureau Meeting held on 9 June 2009

The Chair gave a brief summary of the discussions at the BM.

- **The Strategic Plan and the Action Plan.** The Bureau was satisfied with the amendments made to the plans. The Chair emphasised that the Strategic Plan is a framework document and that the Action Plan is an implementation document subject to discussion and updating.
- **New Member Countries.** The Chair reported that the Bureau discussed the Preliminary Evaluation Report on the Ukraine and noted that more information was needed in order to complete the report.
- **Terms of Reference for the Technical Working Group.** The Bureau was satisfied with the revised document and recommends approval by the Annual Meeting.

- **Budget and Financial Contributions.** The Bureau had discussed how the budget might be funded and confirmed a new paper for discussion.
- **Vice-Chairs for Future meetings.** The Bureau discussed the appointment of a new Vice-Chair as Mr John Kedera would be leaving the Bureau at the 2010 Annual Meeting.
- **Ad Hoc Working Groups:** The Bureau discussed the work of the Ad-hoc WGs and hoped that progress would be made during the AM on both issues so that the two groups could be dissolved.
- **The issue of VCU** and how to progress it. The Bureau felt that this issue would be best discussed by the wider Technical Working Group.

5. Draft Summary Records

The following draft summary records were adopted:

- *Annual Meeting of the Seed Schemes, 1-2 July 2008* [TAD/CA/S/M(2008)4/REV1]
- *The 5th TWG Meeting, 30 June 2008* [TAD/CA/S/M(2008)3/REV1]
- *Extended Advisory Group meeting, 29-30 January 2009* [TAD/CA/S/M(2009)2]
- *The 6th TWG Meeting, 28 January 2009* [TAD/CA/S/M(2009)1]

6. In-Depth Evaluation of the OECD Agricultural Codes and Schemes for International Trade [C(2008)95/CORR1]

The Secretariat reported that the evaluation had been carried out as part of the Secretary General's office assessment on the functioning of Part II programmes. All three Schemes and the standard Codes for tractors had been evaluated and received a high rating for Relevance, Efficiency and Effectiveness.

The evaluation team had recommended that: **The Codes and Schemes should establish an ad hoc Joint Working Group to exchange good practices and to examine, amongst other things, how working methods can be revised to make them more reactive and flexible.**

The Secretariat invited all four Bureaus of the Codes & Schemes to send their ideas on better practices and confirmed that Mrs. Buus will be our representative on the Group. Once all the comments have been received, key priorities will be set and it is hoped that this will lead to an improvement in the working of the four programmes.

7. Secretariat activities and budget report

7.1 Council Decisions since the 2008 Annual Meeting

The Secretariat confirmed that the Council had adopted the following decisions:

- India and Moldova's admission to the OECD Seed Schemes [C92008)150 & C(2008)151];
- Notification of extension of participation for the Netherlands & Kyrgyzstan [C(2008)153];
- Admission of new eligible species [C(2008)152];

The Committee for Agriculture had approved the following amendments to the Rules:

- Adoption of the increases in seed lot sizes [TAD/CA92008)17];
- Revision of the isolation distances for cotton seed [TAD/CA92008)28];
- Addition of the Definitions of Varietal Identity and Varietal Purity [TAD/CA(2008)29];
- Amendment of two provisions of the Post-Control Rules [TAD/CA(2008)30].

7.2 Activity and Budget Report [TAD/CA/S/RD(2009)2]

The Secretariat informed the meeting that since the last Annual Meeting the Secretariat had participated in and made presentations on the Seed Schemes at the following events:

- UPOV Council meeting and UPOV Symposium on Contracts in relation to Plant Breeders' Rights – Geneva – October 2008;
- EC Conference on Ensuring Seed Availability in the 21st Century, Brussels – March 2009;
- ISF World Seed Congress – Antalya, Turkey – May 2009;
- Evaluation Mission on Ukraine's application to join the OECD Seed Schemes – Kiev, Ukraine – March 2009 (2 experts Mr S. Flack and Mr M. Soepboer).

Since the last Annual Meeting the following publications have been made available to delegates:

- List of Varieties (in future, only available in electronic format)
- OECD Seed Schemes 2009
- New Codes and Schemes Brochure

A total of 56 Seed Schemes documents were circulated to delegates during the year 2008/2009.

The Secretariat presented the budget report and drew attention to the calculation on Page 7 of the paper which gives details of how the annual contributions are calculated. It is based on a lump sum payment (2,500 Euros for 2009) plus a variable fee based on the OECD Scales of Contribution. The Scales of Contribution are approved by the OECD Council each year. The Secretariat reported that the 2009/10 budget approved by the Council in January 2009 involved Zero Nominal Growth which would make the realisation of the programme of work difficult.

The Secretariat confirmed that it is continuing its efforts to recuperate outstanding payments. Arrears as of 7 May 2009 amounted to € 68,612.

New Zealand pointed out that the Schemes had developed an arrears policy two years ago, and the situation of old arrears should have been discussed at the Bureau meeting to develop action on how to deal with these.

The Secretariat confirmed that in future the Bureau would look at this issue and make recommendations on it to the Annual Meeting.

Action: Bureau to develop procedures for dealing with arrears.

New Zealand expressed its concern over the way the Seed Schemes are impacted by OECD procedures. Part II programmes are virtually autonomous and the Schemes should have more ability to control their own budget. If the Action Plan detailed a specific programme of work, the Schemes should be able to do it. New Zealand hoped that the Bureau could consider this further because it would be sensible for some discretion on budgets to be made available.

Ms. Rosarii Coleman, OECD Executive Directorate (EXD), explained that the Seed Schemes are subject to OECD Rules and all Budgets have to be approved by the OECD Budget Committee. She further noted that OECD Member Countries should be liaising with their counterparts on the Budget Committee, in order to get support for their proposals in the Budget Committee meetings. They should seek agreement to revise the Seed Schemes budget to reflect Zero Real Growth (increase in line with inflation) from 2010.

The European Commission noted that the work of the Schemes deserved to be properly considered and he urged the Bureau to undertake strong activity to get this issue of underfunding sorted out.

Ms. Coleman agreed that there was nothing to prevent the Schemes seeking a supplementary budget for the additional work associated with an application from a new country wishing to join the Schemes. The Budget Committee would approve it because it was valid.

The Secretariat confirmed that an internal task force had looked at the costs distributed between the Part I and Part II Programmes, a formula had been implemented in 2007 and reviewed in late 2008. The Schemes costs had been stabilised because there had been overcharging. He agreed that the Bureau must discuss the issue of budgets at its future meetings and become more pro-active in the future.

Action: Bureau to discuss the issue of budgets at its future meetings and recommend spending priorities to the Annual Meeting.

7.2.1 The impact of different types of financial contributions on the Schemes Budget

[TAD/CA/S(2009)4]

The Secretariat presented the paper and reminded the delegates that the 2009-10 programme of Work and Budget for the Codes and Schemes was agreed on a ZERO Nominal Growth (ZNG) for the Seed Schemes in 2009/10. In essence this means that the budget remains at the same level as in 2008.

The circulated paper has looked at different types of financial contributions as means of providing the funding for the Codes and Schemes: *Voluntary Contributions and Grants, Raising the Lump Sum and Staff Loan to the OECD.*

The Bureau felt that it would be necessary to raise the budget by means other than voluntary contributions and invited comments.

The European Commission noted that voluntary contributions would be subject to the rules of the organisation who gave the funds and that the procedures were very complicated. The EC needed specific proof of expenditure and OECD could not pay staff costs from the EC's voluntary contributions.

Several delegates supported the comments made by the EC and noted that it would be very difficult to get any voluntary contributions at the present time. Greater clarity in the budgetary processes of OECD was needed, i.e. why is there a need for Zero Nominal Growth.

In response to the question, Ms Coleman noted that the Seed Schemes is one of 15 Part II programmes, for which there is no increase in available finances. As costs increase, salaries, expenditures and outputs need to be reduced to achieve a balance.

Last year financial reform was undertaken for the Part I programmes budget and approved. It is a similar scale and was based on Gross National Product statistics. Now it is based on a 30% base share from all members and 70% from a new scale of contributions, which includes mitigation methods over a 10 year period. This limits the percentage increase from one year to the next. Some OECD Members seeing this in Part I programmes wanted to see a similar approach in Part II programmes, and used the ZNG to try to get a review of the financing of the Part II programmes.

Delegates agreed that the Secretariat should work with the Bureau and take actions in order to review the budget of the Seed Schemes from a Zero Nominal Growth (ZNG) to a Zero Real Growth (ZRG).

8. Participation in the Schemes

Participants, applicants and interested countries [TAD/CA/S(2009)1]

The paper giving details of the countries participating in the OECD Codes and Schemes has been circulated for information.

Extension of countries' participation – Japan [TAD/CA/S(2009)3]

The delegate from Japan presented his country's request to extend its certification activities to the Cereal and Maize & Sorghum Seed Schemes. Japan has aligned its Plant Variety Protection and Seed Act with the UPOV 1991 convention. Varieties are registered after satisfactory completion of DUS tests and VCU trials. Japan now has 4 ISTA Accredited Seed Testing Laboratories and believes that it is now ready to participate in these two schemes.

Delegates unanimously agreed to the participation of Japan in the Cereal and Maize & Sorghum Seed Schemes.

South Africa informed the delegates that it will formally apply to join the Cereal Seed Scheme.

Action: Secretariat to submit to the Committee for Agriculture and Council the notification of the extension of Japan's participation in the Schemes.
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9. Admission of applicant countries

Ukraine's request for accession to the OECD Seed Schemes [TAD/CA/S(2009)2]

The Secretariat welcomed the delegation from Ukraine to the meeting and explained the procedure for the accession of new countries to the Schemes as outlined in Annex III to the Seed Schemes Rules.

Ukraine had applied for admission to the Cereal and Maize & Sorghum Seed Schemes in June 2008. The Secretariat had proposed an evaluation mission to Ukraine in October 2008 but Ukraine had not been able to host the mission until March 2009. The Secretariat thanked Mr. Max Soepboer and Mr. Stephen Flack who took part in the evaluation mission and noted the Preliminary Evaluation Report.

The Chair invited Ukraine's delegation to make a presentation to the meeting.

Mr. Sergii Melnyk, Deputy Minister of Agrarian Policy of Ukraine, presented a comprehensive overview of the seed sector in Ukraine. The Regulatory framework has been improved by the introduction of Laws of Ukraine "On Seed and Propagating Material", "On Protection of Plant Variety Rights and "On Plant Quarantine". There are 154 State and Private Plant Breeders (93 State and 61 Private) and Seed is produced by 1994 registered seed producers (383 State and 1611 Private producers). Foreign seed companies are also operating in Ukraine. Certification of seed is obligatory for all seed to be marketed and the state seed inspectors (1124 in total) control all stages of certification.

In 2009 training and re-qualification of the 1124 state seed inspectors was carried out according to International standards. All seed lots are labelled, the labels being issued by the State Seed Inspection. The Deputy Minister confirmed that 150 sets of "Nobbe triers" for drawing seed samples according to ISTA seed sampling methodology have now been purchased. The inspectors have been trained how to sample seed according to ISTA seed sampling methodology and by 2010 all samplers will have the new sampling probes. The seed testing laboratory of the Ukrainian State Seed Inspection has modern equipment and should achieve the ISTA accreditation standard in August 2009.

The Deputy Minister confirmed that Ukraine had been carrying out post-control tests on maize for 50 years and promised that Ukraine would follow all the OECD Rules in the future.

The Chair thanked the Deputy Minister for his presentation and asked Mr. Flack and Mr. Soepboer to summarise their mission findings.

Mr. Flack explained that the mission had taken place in early March. The evaluators had identified many operations that would meet OECD standards. Where the standards were not being met, steps were being taken to meet those standards. The evaluators had also identified areas where the information was not available.

Mr. Soepboer noted that the way that field inspection was being carried out would probably be up to the OECD standards but the evaluators were not able to confirm conformity with OECD standards.

The evaluators informed the meeting that additional information is required for the following aspects of seed production and seed certification in Ukraine:

- Labels of seed lots being used for further seed production were not being retained by the seed growers. This is important because checking of the labels helps to ensure the identity of the seed lot together with the post-control test. The evaluators noted that Ukraine is planning to change this.
- Some of the varietal purity standards for cereals and maize were not in conformity at the time of the visit. Most are in conformity now but rye and sorghum are still not in conformity.
- Seed harvested in the field and transported to the processing plant does not have adequate accompanying documentation to ensure the identity of the seed is preserved.
- Seed sampling intensity for seed in bags is not in conformity with ISTA rules.
- The seed samplers being used were the old “thief” spears which do not draw a representative sample through the whole cross section of the bag. Ukraine has now purchased 150 sets of “Nobbe” triers which are approved by ISTA.
- The system of sealing sample bags in the absence of the lead seal was not tamper-proof and the existing lead sealing method should be made compulsory.
- During a visit to a cereal testing station there were no post control plots in the ground. The evaluators had expected that control plots of winter cereals would have been sown in October 2008. Information on maize post control tests was made available but no information was given on post control plots of cereals. The Ukrainian experts confirmed that they grow control plots for maize but not for cereals.

The Chair thanked the evaluators, reminded the delegates that the evaluation is still in progress and invited questions.

There were two very lengthy discussions on the preliminary evaluation report. Eventually it was agreed to use the “written procedure” to resolve the matter and the following proposal was agreed by the delegates.

The Annual Meeting took note of the Preliminary Evaluation Report concerning the request for admission of Ukraine to the OECD Seed Schemes.

- **The Annual Meeting recommends that Ukraine be admitted to the OECD Seed Schemes under the condition that the remaining technical requirements measured against the criteria laid down in Annex III are verified and conformity confirmed during a follow-up mission.**
- **Subject to a successful evaluation mission and a written procedure* the Annual Meeting recommends the admission of Ukraine to the Schemes, and the application would be submitted to the Committee for Agriculture for endorsement before the end of 2009.**
- **In addition, paragraph 5 of Annex III to the decision of the Council will be applied and a monitoring visit to Ukraine will be organised in 2010.**

- ***Footnote: the written procedure means that on the basis of the evaluation mission, the final full report of the evaluators and the report of the Secretariat are sent to the National Designated Authorities with a 4 week deadline for answers. In the absence of a response it will be assumed that the National Designated Authority accepts.**

The Deputy Minister thanked the delegates for considering Ukraine's application to join the OECD Seed Schemes and noted that Ukraine would be more severe concerning the control and quality of seed in the future to allow it to participate in the Schemes.

Action: A follow up mission to Ukraine would be organised in early July. The rules for the admission of new countries would be reviewed and a proposal developed for discussion at the next Extended Advisory Group Meeting.

10. Strategic and action Plan for the OECD Seed Schemes

10.1 Strategic Plan for the Seed Schemes [TAD/CA/S(2008)9/REV2]

Mr. Kedera, Kenya, gave a brief summary of the development of the Strategic Plan which had started in 2006. He noted that the Plan should be seen as a framework document and asked the Annual Meeting to adopt the Strategic Plan.

The Australian and US delegations expressed reservations about the inclusion of bullet points 4, 5 and 6 under Section C and bullet points 3 and 5 under Section D, saying that they were not appropriate for the Seed Schemes. They agreed not to oppose the adoption of the Strategic Plan, but wanted their concerns noted.

Action: The Annual Meeting agreed to adopt the Strategic Plan.

10.2 Implementation of the Strategic Plan for the OECD Seed Schemes - Action Plan [TAD/CA/S(2008)18/REV1]

The Secretariat confirmed that the revised draft of the Action Plan had been developed following discussions at the Extended Advisory Group meeting in January 2009. The plan had five sections which reflected the Strategic Plan. The Action Plan should be viewed as a living document, subject to revision if and when necessary, as agreed by delegates at the AM.

Section A - EFFECTIVE IMPLEMENTATION OF THE SCHEMES

The Netherlands asked how the information regarding "consistent concerns" (sub-section 1, Monitoring the interpretation and implementation of the Seed Schemes) might be obtained.

The Chair agreed that this point would be looked at again.

Section B - EFFECTIVE COMMUNICATIONS

Australia noted that the Priority for Modernising the List of Eligible Varieties (sub-section 3) should be high with Secretariat resources given to it. United States supported this view and confirmed its commitment to this development.

Action: It was agreed that an immediate study should be undertaken by the Secretariat and the Coordinating Centre to identify what resources are required to complete this activity.

Section C – ENHANCE POLICY AWARENESS THROUGH BETTER LINKAGES TO SEED RELATED ISSUES

Australia noted that the third bullet point in sub section 1 was very vague. What would the role of the Seed Policy Co-ordinating Group actually be? The Secretariat explained that it meant working with other Committees in the other Directorates, i.e. environmental, science and technology, in order to share information and discuss overlapping areas of work.

New Zealand shared Australia's concern and felt that the title of the group might be better understood if it was called "Seed Policy Awareness Group" and that the group should be within the Seed Schemes not OECD.

The Canadian delegate noted that the introduction of this Group was the direct result of comments that he had made at the EAG meeting in January 2009. Canada has a similar group and it reaches out to other areas including the plant bio-safety group, policy makers and also talks about grain. This is useful because grain issues may impact on seed production.

A concern was expressed about Point 5 "Explore concerns related to seed and plant health issues and identify possible approaches for establishing common seed health and varietal purity controls". The priority should be Low, since it would not be rational to commit resources to this topic.

Section D – ADDRESS INSTITUTIONAL AND TECHNICAL DEVELOPMENTS

Both Australia and United States said that topic 5, "Enlarge certification to tropical and vegetatively propagated species" was not needed in the case of vegetatively propagated species. Existing Schemes can accommodate tropical species which produce normal seed.

Several delegates made the point that they understood that the term "tropical species" mentioned in this section was intended to refer to those species which produced seed with a short shelf life, rather than those which produced normal seed.

Section E – ENLARGE PARTICIPATION IN THE SCHEMES

UPOV asked the first paragraph of sub section 1 to be redrafted as it was concerned about the word "collaborate". UPOV agreed to help with its redrafting.

The delegate from Turkey asked how the status of observers was to be "reviewed"; she was also concerned about the mention of "some" applicant countries. It was suggested that the Secretariat obtain a legal opinion on the matter before it went up to the Committee for Agriculture and the Council.

The Secretariat confirmed that the legal department was always consulted before submission of documents to the Co-Ag and Council.

It was noted that the use of the "observer" was already being practiced within OECD itself and the time period could be up to and until the observer qualified for membership.

The Chair asked that further written comments on the Action Plan be sent to the Secretariat by 31 July 2009.

Action: Participants are invited to send their further comments on the Draft Action Plan to the Secretariat by 31 July 2009.

11. Report on the implementation of the OECD Seed Schemes in a number of countries

The Secretariat had invited three countries, Russian Federation, Germany and Uganda to report on their implementation of the Schemes. Uganda had not replied. Germany had to decline for this year but would make a presentation to the 2010 Annual Meeting. The Russian Federation had agreed to make a presentation and the Secretariat invited the delegation to address the meeting.

Mr. Aleksander Malko, the Head of the Russian Agricultural Centre, presented an overview of the current situation in the seed sector in his country.

There were 78 representative offices in all those regions where Russia grows plants. About 3 million seed tests were carried out each year. Some 20 million ha of seed crops were inspected annually for varietal purity and 160 million ha were monitored for plant health. Russia requires 11 million tonnes of cereal seed, 80,000 tonnes of maize seed, 40,000 tonnes of Perennial ryegrass seed and 15,000 tonnes of vegetable seed per annum. Most of the seed sown is farm saved seed. Only 8-15% of seed marketed was certified, and only 30% of the varieties marketed were protected. A high percentage of the seed marketed was of low quality and was not the produce of a genuine seed crop.

The situation has improved since 2001 with the introduction of a sound legislative base which provides for the following certification system:

- The seeds intended for marketing will be certified;
- Only the seeds of varieties which are included in the National List of Varieties in Russia will be certified;
- The varieties which are included in the National List of Varieties for cultivation and use in Russia must be tested for DUS;
- Protected varieties will be certified with the consent of the holder of the Breeder's Right.

At present the OECD Seed Schemes are not widely used and Russia still has a number of internal problems. Also volumes of seed exported are very small. International Seed Certificates are valid in Russia and further development of the legislative base will take place in the future.

The delegates welcomed the report which helped all the participants to grow closer together and congratulated the Russian delegate on his excellent presentation.

12. Technical Working Group on Varietal Identity and Varietal Purity

Report on the Technical Working Group meeting held on 10 June 2009 – Oral report

Mr. Peter Johnston, Chair of the TWG, gave an oral report on the meeting. There had been a lively discussion on the document on Harmonisation of Post Control Procedures and Standards [TAD/CA/S/RD(2008)3/REV3]. No agreement was reached, but a small sub-group has been set up, comprising France, the Netherlands, UK, UPOV and the Co-ordinating Centre to do a further revision of the document.

The TWG members agreed the varietal purity characters to be used for Control Plots and Field Inspection for a total of 72 species given in the papers [TAD/CA/S/RD(2008)12/REV2], [TAD/CA/S/RD(2008)13/REV2], and [TAD/CA/S/RD(2009)1].

Following discussion on the Eligibility of Varieties for OECD Listing and Seed Certification [TAD/CA/S/RD(2008)10/REV2] and [TAD/CA/RD/(2009)6], the TWG agreed to request the Co-ordinating Centre to extract from the document a summary of topics for discussion at the next TWG meeting.

Following some lively discussion on the Amendment of a Provision of the Post-control Rules [TAD/CA/S(2008)21] and [TAD/CA/S/RD(2009)10], the TWG agreed to ask the new Sub-Group working on the Post Control and Field Inspection Guidelines to take these papers into their consideration.

The original proposal amending the Rules for Acceptance of Varieties prepared by France and then enhanced by the Co-ordinating Centre [TAD/CA/S/RD(2008)14/REV1] was discussed. The TWG reached agreement on Rule 2.2 of this proposal but the Co-ordinating Centre was requested to undertake further work on Rules 2.3 and 2.4 to reflect the TWG members' comments on them.

The paper on Choosing a Sampling Scheme for Cereal Crop Sampling [TAD/CA/S/RD(2009)7] produced some lively discussion. The Co-ordinating Centre was asked to look at the wheat data when it becomes available to determine whether any changes to the Schemes Rules are necessary.

The paper on the Role of Biochemical and Molecular Techniques in Describing and Identifying Varieties [TAD/CA/S/RD(2009)8] resulted in some very interesting discussion and enlightenments. Canada, UPOV and the Co-ordinating Centre have been requested to develop a revised proposal for consideration at the next TWG meeting.

Action: Varietal purity characters will be developed for a small number of species for consideration at the TWG meeting in November.

13. Revision of Guidelines for Post-control Plot tests and Field Inspection

13.1 Draft revised Guidelines, General Parts I, II, III [TAD/CA/S/RD(2008)/REV3]

The Chair confirmed that a small sub group will undertake a further revision of the document and a final document will be presented to the next TWG meeting for discussion and possible agreement.

13.2 Draft revised Guidelines Part IV [TAD/CA/S/RD(2008)12/REV2] [TAD/CA/S/RD(2008)13/REV2] and [TAD/CA/S/RD(2009)1]

The Chair formally asked the Annual Meeting to approve the varietal purity characters for the 72 species and their immediate publication on the OECD Schemes website. This was agreed.

Action: The Secretariat to publish the varietal purity characters for the 72 species on the OECD Seed Schemes website.

14. Structure and mandate of the Working Groups on the OECD Seed Schemes [TAD/CA/S(2008)4/REV2]

The Secretariat reported that delegates had sent written comments on the proposal after the 2008 Annual Meeting. Following the receipt of the comments, the Secretariat and the Bureau had revised the draft proposal for discussion at the EAG meeting held in January 2009. At that meeting it had been agreed to recommend to the Annual Meeting the opening up of the participation in the meetings of the TWG to all participants from Member countries and all observes. The programme of work would remain unchanged.

Delegates agreed that participation in the TWG meetings will be open to all participants from Member countries and Observers, beginning with the next TWG meeting.

15. Report from the OECD Co-ordinating Centre

15.1 List of Varieties 2008/2009 [TAD/CA/S/RD(2009)9]

The Co-ordinating Centre reported that further progress had been made on removing duplicated maintainers from the List of Varieties. Delegates were asked to read again the first page of the paper because a few

NDA's were still sending information that was already present on the data base. The botanical name for durum wheat has been changed to *Triticum turgidum* L. subsp durum (Desf.) Husn. This was in accordance with GRIN. The delegate from Italy was concerned about this change of name but both UPOV and ISTA confirmed that the botanical names in their lists of varieties were also based on GRIN.

Canada noted that over 10% of varieties had a synonym and asked the use of synonyms to be monitored by Scheme in the future. Canada's delegate felt that synonyms were mainly used in the Maize and Sorghum Scheme.

Action: Co-ordinating Centre to monitor the use of synonyms by Scheme and prepare a report for the Annual Meeting each year.

15.2 Update on developing a statistical database for Seed weights

15.2.1 Post-control of OECD certified seed in 2007

The Co-ordinating Centre reported that it had been cooperating with the OECD IT Group, based in Paris, who is developing the database structure and overseeing the data going into it. Progress had been made and the database structure is being put in place. It had not been possible to extract the information contained in the Room Document N.1a from the database. The document gives an interim update and includes replies from 12 countries. There had been 50 replies for 2006. A total of 3945 seed lots had been tested and 119 were reported as unsatisfactory (3%).

Canada, New Zealand, Estonia and the Czech Republic were concerned because they had not received any written request for submitting the data. The Secretariat confirmed that the questionnaires had been sent by email to the representatives of each participating country. The post control questionnaire had been sent out at the end of 2008.

15.2.2 Weights of OECD certified seed in 2007/2008

The Co-ordinating Centre reported that 45 countries had replied, seven of which were Nil returns. The Room Document N.1b summarised the information. The total weights certified have fallen to 430,837 tonnes, made up of first certified 269,648 tonnes, relabelled 25,353 tonnes and not finally certified 135,836 tonnes. The questionnaire had been sent out in January 2009 with a deadline date for return by 31 March 2009.

The delegate from South Africa pointed out that his country had submitted information but it had not been included in the document. The Co-ordinating Centre commented that the information is provisional and had not received the usual level of checking. A new full version will be produced when the new database is functional.

Action: The Secretariat will circulate both Questionnaires to all countries.

16. Admission of new eligible species [TAD/CA/S(2009)5] *Eragrostis tef* and [TAD/CA/S(2009)7] *Paspalum vaginatum*

United States made a brief presentation on Annual Bunch Grass and Seashore Paspalum.

Annual bunch grass is a self-pollinated chasmogamos warm season annual grass and is nominated for admission as a species eligible for certification under the Grass and Legume Seed Scheme.

Seashore paspalum is a perennial, primarily rhizomatous grass and a seed production method has just been developed. It is open-pollinated and self-incompatible. It is also nominated for admission as a species eligible for certification under the Grass and Legume Seed Scheme.

United States agreed to send to the Co-ordinating Centre the varietal purity characters to be used for control plots and field inspection for the species *Paspalum vaginatum*.

Delegates agreed to the United States request admitting these two new species to the Grass and Legume Seed Scheme:

Action: Co-ordinating Centre and Secretariat, to add Annual bunch grass and Seashore paspalum to the next issues of the OECD Seed Schemes and the List of Varieties.

17. Multiplication abroad

17.1 Report on the Ad Hoc WG and Workshop held on 9 June 2009

Mr. Bohn, the Chair of the WG, reported that 28 persons attended the Workshop and WG meeting. Mr. Johnston had given a presentation on the history of the WG and its aims.

The Co-ordinating Centre had circulated a document which covered the responsibilities of the four main parties to a multiplication abroad agreement:

- Responsibilities of the Designated Authority of the country of registration during a multiplication abroad;
- Responsibilities of the Designated Authority of the Country of Multiplication;
- Company sending seed for multiplication;
- Company conducting multiplication.

There had been a long discussion on the document and the final text was agreed. Mr. Bohn reported that the revised document should go forward as a basis of the Guidelines for Multiplication Abroad and he would be pleased to receive any comments on the document. Mr Bohn also said that he had personally adapted the Tables from the old discussion paper AGR/CA/S(2005)8, which he used to collect and send information to those countries multiplying seed for United States companies. The document will be made available to all delegates. He suggested that the remaining business of the Ad Hoc WG be moved to the TWG.

The revised Guideline paper was then circulated as a Room Document for information and comments.

Action: The Ad Hoc WG will be closed down and its work moved to the TWG.

17.2 Draft revised proposal for grouping the Schemes' rules on multiplication abroad [TAD/CA/S/RD(2008)/REV4]

Mr Bohn reported that the proposal had not been discussed due to lack of time at the Ad Hoc WG meeting.

18. Use of synonyms in varietal denominations

18.1 Report on the Ad Hoc WG held on 9 June 2009

Mr. Bianchi, who chaired the meeting, reported that 15 experts attended and they had agreed to a final form of wording for the Rules governing the use of synonyms.

18.2 Draft revised proposal for amending the Schemes [TAD/CA/S(2008)12/REV2]

Mr Bianchi confirmed that the Ad Hoc WG meeting agreed the following final text for the wording of Rule 9 of the Rules for the Listing of Varieties as follows:

“9.1 The OECD Seed Schemes acknowledge the UPOV principle “One variety, One denomination”. However, under exceptional circumstances synonyms to the variety denomination may be accepted if the following conditions are fulfilled.

Where the synonym is in accordance with the criteria the Designated Authority uses for the approval of variety denominations; and

When sufficient information is provided to verify the correspondence of the synonym to the variety denomination; and

When the Designated Authority of the country recognising a synonym notifies both the OECD Secretariat and the Designated Authority of the country that gave the variety denomination; and

9.2 The synonym will be added to the variety denomination in the OECD List with reference to the country which has registered it

9.3 Designated Authorities should permit the use of a synonym for seed certification purposes only when such a synonym has been duly notified to the OECD Secretariat for inclusion in the OECD List.”

The final revised document was circulated as [TAD/CA/S(2008)12/REV3].

European Commission noted that it would be useful to have an annual report on the use of synonyms. The Secretariat agreed that it would be good to have statistics on the use of synonyms.

European Commission has also suggested that after a period of 4-5 years of experience with these new rules, a review of these same rules should be foreseen. This has been agreed by the Secretariat.

Delegates at the Annual Meeting approved the revised wording of the Rule on Synonyms.

Action: The Secretariat will prepare the amendment to the Rules for the Listing of Varieties and submit it to the Committee for Agriculture and the Council for adoption.

19. Revision of the Rules and Regulations of the Seed Schemes [TAD/CA/S(2009)6]

The Co-ordinating Centre explained that the revision of the existing Rules had been carried out to reduce duplication. No changes to the existing Rules were permitted. The Vegetable Scheme had not been included in the compaction exercise. He pointed out small corrections on Pages 24, 102 and 157. When the rule was specific to one scheme the rule was “boxed” in the compacted text. The compaction has saved 100 pages.

The delegates congratulated the Co-ordinating Centre on a magnificent piece of work.

It was suggested to move the List of eligible species (Appendix 2) to the front of the specific section on each scheme.

The Chair asked delegates to send in written comments on the compacted text by 30 September to the Secretariat and the Co-ordinating Centre.

Action: Delegates to send written comments on the compacted text to the Secretariat and the Co-ordinating Centre by 30 September 2009.

20. Review of the Vegetable Seed Scheme [TAD/CA/S/RD(2009)3]

France noted that French companies used Standard Seed and did not use Certified seed. No mechanism existed for the issuing of a “certificate” for Standard Seed and this is creating problems for the companies. France proposed setting up a small Working Group to look at the issue and would be happy to serve on it.

The Chair pointed out that this review was included in the Action Plan of the Schemes and the matter had been discussed by the Bureau. A limited time of 1-2 years was proposed for this WG. After that the matter would go to the TWG.

The Netherlands and the EC supported the proposal and noted that they were interested to take part in the work of the Ad Hoc WG. France pointed out that although Israel was not represented at the AM, they also had problems and it might be appropriate to include them in the WG.

South Africa noted that it could supply information to the WG as it already had a fully functioning system for vegetables.

The Delegates agreed that the Ad Hoc WG should be made up of representatives from the EC, France, Israel and the Netherlands.

21. Update on the status of the discussion on VCU in OECD Seed Schemes [TAD/CA/S/RD(2009)4]

The Secretariat gave a brief summary of the history of the discussions on VCU. The technical experts at the 4th TWG meeting agreed that VCU was not needed for varietal certification and a proposal to delete the VCU requirement was put to the EAG meeting in January 2008. However, a number of EU countries were against the deletion of the VCU requirement. The Secretariat had merged the previous papers on VCU into this paper and asked for guidance on the next steps.

The Chair noted that the issue needed further discussion and suggested that it be discussed at the next meeting of the TWG in November 2009 which would be open to all. It would be useful to have presentations from different parts of the world.

The EC agreed to discuss the topic and welcomed the idea of a Workshop.

Australia and South Africa were of the view that VCU does not have a role in OECD certification. The AM should remove the requirement for VCU from OECD certification.

Action: This issue will be discussed at the next meeting of the TWG in November.

22. Certification of new potential hybrids [TAD/CA/S/RD(2009)5]

The US gave a brief introduction to the paper which sought a solution to the problem of moving seed for trials from one geographic area to another.

New Zealand was of the opinion that the proposal should not be restricted to hybrids.

After a lively discussion it was agreed that a small Ad Hoc Working Group comprising ISF, USA and France would look at the problem and produce a paper for the next Annual Meeting.

Action: ISF, USA and France to produce a paper on the issue of moving seed for trials for discussion at the next Annual Meeting.

23. Newsletter of the OECD Seed Schemes

The Co-ordinating Centre reported that it was asked to produce a prototype newsletter giving details on news and developments throughout the seed sector. The first edition had been circulated and the Co-ordinating Centre was looking for interesting articles for the second edition of the newsletter. The newsletter was formatted for electronic distribution, but could also be printed.

The EC welcomed this initiative and asked that the author and contact details be included for all the articles in the next edition.

24. Update on the tender for the appointment of the Co-ordinating Centre for the three year period 2010 – 2012

The Secretariat noted that every three years the work of the Co-ordinating Centre had to be tendered, which applied to all OECD contracts. The primary work for the Co-ordinating Centre is to maintain and produce the List of Varieties. The tender documents had been sent out to all participating countries in early April and the closing date for all submissions will be 4 September 2009.

25. Recent changes in seed legislation in Member Countries of the Schemes and in the EU

The delegate from Canada circulated a short paper giving details of recent developments in its Seed Program and made the following points.

- The Canadian Food Inspection Agency (CFIA) launched the Authorised Exporter program (AEP) on 25 August 2008, which authorised private persons to sample, seal label and test seed certified pursuant to the OECD Seed Schemes. Participating seed testing laboratories are authorised to issue reports of seed tests according to either ISTA or AOSA seed testing rules, depending on the accreditation of the laboratory. This will apply mainly to grass seed.
- Amendments to Canada's Seeds Regulations to remove the requirement for kernel visual distinguishability (KVD) in wheat varieties imported into western Canada came into effect on 6 August 2008. The amendments were consequential to the Government of Canada policy decision to eliminate the KVD requirement from all classes of western Canadian wheat as of 1 August, 2008.

The delegate from the European Commission reported that a new Directive on Conservation Varieties on agricultural crops had been adopted last year. Work on further Directives relating to conservation varieties of vegetable seeds and grass seed mixtures is continuing. Details of the EC Equivalence arrangements could be found on the EC website.

26. Review of significant seed related developments in International Organisations since the last Annual Meeting

UPOV - gave a short update on its activities. Following the accession of Georgia and Costa Rica, UPOV has 67 members. With regard to the examination of legislation, the UPOV Council had taken a positive decision on the conformity of the Draft Law on the Breeder's Rights of the Former Yugoslav Republic of Macedonia and on the conformity of the legislation of Peru, with the 1991 Act of the UPOV Convention. The UPOV Council had recommended that Bosnia and Herzegovina incorporate certain additional provisions and amendments in the Law, and recommended that the amended Law should be submitted to the Council. Mr. Francis Gurry has been appointed as the new Secretary-General of UPOV for the period 30 October 2008 to 30 September 2014.

New Test Guidelines have been adopted for Asparagus-bean, Rubber, Oleander, Passion Fruit, Phlox, Bird cherry, Taro and Yam. The revised Test Guidelines for maize, pea, zonal pelargonium and cauliflower and the partial revisions of the test Guidelines for swede, pumpkin, dendrobium and verbena, vervain have also been adopted. UPOV has now adopted 257 Test Guidelines and a further 64 are being discussed this year.

ISF - reported that it had added 18 new members to its membership. A very successful Annual Congress was held in May, in Antalya, Turkey, attended by 1300 participants. The Congress had approved another revision of the trade rules, providing instructions on how to write a contract and had developed a document on how to manage disputes relating to essential derivation of a variety. An ISF Working Group on seed health is working with UPOV and ISTA to identify a list of seed transmitted pathogens. The Congress also endorsed

the use of DNA-based markers for variety identification purposes. ISF had also organised a workshop on phytosanitary regulations attended by 100 participants from National Plant Protection Organisations.

FAO – reported on its on-going activities:

- **Regional harmonisation of seed regulations in sub regions of sub-Saharan Africa**, the technical aspect of this work had just been completed in Central African region.
- **Establishment of a regional seed association for Central Asia and the Caucasus in July 2008.** The association is named ECO Seed Association (ECOSA). The first regional seed congress of ECOSA will be held in Antalya, Turkey in the first week of December 2009.
- **The World Seed Conference will be hosted by FAO in September 2009.** This conference is a joint effort of the OECD Seed Schemes, UPOV, ISTA and ISF.
- **Seed Alliance without Boundaries (SAWIB)**, initiative started in November 2008 to link developed seed companies to newly established local seed companies in developing countries. A pilot test of this initiative was carried out in February 2009 with the visit of stakeholders from emerging seed companies of Iraq, Afghanistan and Uzbekistan to India.
- **Building Seed Knowledge and Marketing Information Systems to Boost Production, Trade and Seed Security.** FAO is in discussion with AFSTA to develop this initiative through national seed associations and relevant government agencies.

AOSA - gave a brief update of its recent activities.

- AOSA had completed a successful joint annual meeting with the Society of Commercial Seed Technologists (SCST) in Fort Collins.
- Ten AOSA Rule changes were adopted in 2009 and the revised rules will be available in October 2009.
- AOSA and SCST members continue to support the effort to consolidate the two organisations.
- AOSA Vigour Testing Handbook has been completely revised and will be published in 2009.
- Mr Michael Stahr, Director of the Iowa State University Seed Science Centre, has been elected by the AOSA membership to serve a two year term as the new President.

UNECE – circulated a paper giving details of recent developments in Standardisation of Seed Potatoes and reminded the delegates that the global seed potato standard includes all aspects of certification including phytosanitary aspects. The future work programme for the delegations will include: list of diseases and pests, internal quality defects (including tuber moth), non-compliance at destination, crop inspection practices, post-harvest tests, varietal identity/purity, electronic certification, changes in the EU legislation related to seed potatoes, promotion of the Standard and Comparative trials.

27. Developments in the OECD Working Group on Harmonisation of Regulatory Oversight in Biotechnology

Mr. Peter Kearns gave a brief report on the progress of the WG in relation to the Adventitious Presence of GMO seeds in non GMO seeds. The WG had been asked to examine the issue by ISF in 2007. Mr Kearns pointed out that the WG was primarily concerned with risk management issues and had now held three meetings on the issue of “low level presence”. At the most recent meeting, held in February 2009, it had been agreed that the WG would address the issue from the “risk assessment” perspective. Delegations of the members of the WG are currently putting together examples of specific cases which will be considered at the next WG meeting in November 2009. The WG has been considering the safety of transgenic plants since 1986 and will be using all the principles developed over the last 20 plus years to see how best to look at “low level presence”. The WG is making progress on the issue.

28. Update on the preparation of the second World Seed Conference

The Secretariat reminded delegates that the leaflet giving details of the conference agenda had been circulated the previous day. The conference is being organised by OECD, FAO, UPOV, ISF and ISTA and the agenda reflects the inputs from the different organisations. The conference will be held at FAO headquarters in Rome from 8 to 10 September 2009. ISF confirmed that almost 200 persons had registered to attend the conference.

29. Future meetings

The Secretariat invited Mr. Johnston to give details on the 2010 Annual Meeting which will be held in New Zealand during the week commencing 22 March 2010.

Mr. Johnston noted that the Brochure for the Annual Meeting and the leaflet giving details of the accommodation arrangements were available to all delegates. The Annual Meeting will be hosted by the New Zealand Ministry of Agriculture and Forestry (MAF) as a joint co-operative venture with the New Zealand Seed Quality Management Authority (SQMA) and the New Zealand Grain and Seed Trade Association (NZGSTA).

The NZGSTA will assist with registration and coordinate social events. The meeting is to be held at the Rydges Hotel, Christchurch. In order to ensure the group rate, reservations must be made directly with the hotel by 31 December 2009.

Mr. Johnston asked that all persons attending the Annual Meeting clearly inform the Secretariat of their attendance by the end of January 2010. The Secretariat will then communicate the information to his office in New Zealand. The planned agenda is the following:

- The Bureau would be holding a closed meeting on Monday 22 March (am) and Ad Hoc WG meetings would be held in the afternoon (if needed).
- The Technical Working Group meeting will be held on Tuesday 23 March.
- The field trip on Wednesday 24 March will be looking at an animal production system and will include a small workshop on seed varietal certification and phytosanitary certification.
- The Annual Meeting will be held on Thursday 25 and Friday 26 March.

The Secretariat confirmed that additional meetings will be held in November 2009, in Paris, as follows:

- 3 November 2009 - Bureau and Ad Hoc Working Groups
- 4 November 2009 and 5 November (am) - Technical Working Group
- 5 November (pm) and 6 November 2009 - Extended Advisory Group

30. Nomination of Officers for 2010-2011

The Secretariat confirmed that at the next Annual Meeting the Vice-Chair will succeed the Chair and it will be necessary to appoint a new Vice-Chair. In order to maintain the regional balance the new Vice-Chair should come from the Americas, and he called for nominations.

Mr. Johnston noted that the Bureau had discussed the matter and he was delighted to nominate Mr. Perry Bohn, United States as the next Vice-Chair. The UK and France seconded the nomination and the Chair asked Mr Bohn if he was willing to serve.

Mr Bohn accepted and noted that it would be a great honour for him to serve the Seed Schemes over the next six years.

31. Other business

The delegates thanked Mrs. Buus for her wise Chairing of the Annual Meeting.

There being no other business, the Chair thanked the Secretariat for their work in ensuring that the delegates were provided with all the documents and the revisions to those documents. She also thanked the delegates and the observers for their active participation and closed the 2009 Annual Meeting.

2009 OECD Annual Seed Meeting

Held at OECD Headquarters, Paris on 11-12 June 2009

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