



Winnipeg – December 07, 2005

Announcements

Next Forum Meeting

Tentatively scheduled for March 07, 2006 in Winnipeg.

Upcoming Working Groups

The Secretariat will schedule back-to-back meetings of the two new Working Groups for the latter half of February or early March.

PNT Working Group:

To explore ways to improve the current regulatory system for Plants with Novel Traits (PNTs).

AP Working Group:

To explore the need for the Canadian regulatory and management systems to take account of the risks and potential economic impacts associated with unavoidable low levels of adventitious presence.

The third meeting of the National Forum on Seed (NFS) was held at the Delta Winnipeg on December 7, 2005. More than 40 Forum members, staff, guests and observers were in attendance. The Forum reviewed reports and determined next steps related to Variety Registration and Innovation, heard the results of a recent project to explore farmer attitudes about innovation and certified seed, approved further changes to its Governance Document, and discussed agenda items for the next meeting.

Farmer Survey on Innovation and Certified Seed

Lorne Hadley of the Canadian Plant Technology Association (CPTA), made a presentation on farmer attitudes towards innovation and certified seed. The presentation was based on the results of a recent national telephone survey of about 1,000 Canadian farmers, plus 6 focus groups involving crop and livestock producers from Quebec to Alberta. The NFS provided financial support for this CPTA project to gain insight into the interests, needs and expectations of commercial agriculture producers with regard to innovation in the seed sector. At the Forum's summer meeting, members had stressed that the NFS actions related to innovation should be driven by the needs of farmers as well as the

needs of plant developers. The survey results and focus group comments revealed that:

- Farmers place a very high value on innovation, which they link closely to producer returns and international competitiveness;
- With respect to seed, their primary interest is access to new varieties that will lower production costs, increase returns or improve market acceptance;
- Farmers share the concerns of plant developers regarding regulatory impediments at both the domestic and international levels.

Outcome: It was concluded that an NFS focus on regulatory impediments to innovation was consistent with producer interests.

Variety Registration Working Group

A report from the Variety Registration Working Group, summarizing the results of its October 25, 2005 meeting to discuss and provide feedback on the Variety Registration Pre-Proposal developed by the Canadian Food Inspection Agency (CFIA), had been pre-circulated. Dale Adolphe, Canadian Seed Growers' Association, made a brief presentation recapping the Working Group's main comments and concerns.

Glyn Chancey, CFIA's Director of Plant Products, updated Forum members on the status of CFIA's pre-consultations on Variety Registration and possible next steps. He said that:

- CFIA consultation activity has been suspended during the election period, but will resume after January 23, 2006;
- The Crop Specific/Regional Consultation Process section of the Variety Registration Pre-Proposal is being rewritten to provide greater clarity on a number of key points, including CFIA's role relative to the NFS and others, the rationale for a crop specific approach, and the nature and scope of the proposed Crop Specific Consultative Groups (CSCGs);
- The three Variety Registration Working Group meetings held to date have been helpful in facilitating open, transparent discussion and in



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improving understanding and building consensus around seed regulatory issues;

- The NFS may wish to leave open the option of convening another meeting of the Variety Registration Working Group later this winter given the fact that many issues remain to be resolved.

In the ensuing discussion, the role envisaged for CSCGs was further explored, as was the need for a clear mandate statement and broad membership to ensure a balanced value chain perspective. It was clarified that while the CSCGs might build on existing bodies (e.g. Variety Registration Recommending Committees), they would need to be distinct in terms of mandate, role and membership. It was generally agreed that the proposed consultation process should respect Smart Regulation principles such as transparency, openness, inclusiveness, consensus-building and value added (e.g. identifying benefits and costs associated with different options).

Decisions (representing consensus, with caveat* as noted below):

- 1. The Variety Registration Working Group report was accepted as fulfillment of the request for the Group to provide feedback to CFIA on its pre-proposal.**
- 2. Clear written mandates will be established for future Working Groups, both to guide the scope of their deliberations and to ensure that the Forum can efficiently assess whether they have fully executed the assigned task(s).**
- 3. The need for a further meeting of the Variety Registration Working Group will be assessed at the next Forum meeting based on the status of CFIA consultations at that time.**
- 4. The Forum will develop a scoping document to assist in further defining the role of the Crop Specific Consultative Groups proposed by CFIA and elaborate on how they might operate.**

**National Farmers Union representative Nigel Weber indicated that his organization could not endorse the Working Group report nor comment appropriately on the Variety Registration Pre-Proposal until there is greater clarity on key points, particularly how the crop specific consultative groups will be constituted and how they will function.*

Innovation Topics and Priorities in the Seed Sector

Bill Leask, Canadian Seed Trade Association, made a short presentation covering conclusions and recommendations flowing from the Planning Workshop on Innovation held in Ottawa, October 26, 2005. A summary report on the meeting had been pre-circulated to NFS members. Bill clarified that the Workshop Discussion section of the report is simply a record of what had been said; the items brought forward for decision are described in the Priorities and Recommendations section.

There was a wide-ranging discussion on the importance of ongoing public investment in plant breeding; the value of expressing concern about how low commodity prices and farm incomes are impacting producers' ability to contribute to future innovation; potential problems associated with current regulations governing Plants with Novel Traits (PNTs); the challenges of recent experiences with adventitious presence (e.g. StarLink corn), and the implications of Intellectual Property protection for farmer returns and market access.

Regarding PNTs, most Forum members indicated they felt it would be worthwhile for plant breeders, the seed industry and other stakeholders to further explore points of concern (e.g. definitions, unintended impacts on public plant breeding, international compatibility).

The recommended Working Group on adventitious presence sparked debate about whether this should be restricted to genetically modified plants or widened to include quality/purity issues such as weed seeds; about the importance of international acceptance of Canadian regulations and handling/marketing systems, and about the timing and prospects for significant progress being made in this area.



Decisions (reflecting consensus, with dissent* as noted below):

1. Regarding Recommendations 1 & 2 in the Planning Workshop Summary Report, a letter will be sent to the federal Minister of Agriculture endorsing the need for a national strategy for R&D in the seed sector and underscoring the importance of profitability throughout the crop production chain as recommended in the Summary Report. These policy endorsements from the NFS will be linked to the development of the next Agriculture Policy Framework and a call for continued and increased funding for public plant breeding research will be added.
2. Regarding Recommendation 3, the Forum will convene a Working Group to explore ways to improve the current regulatory system for Plants with Novel Traits (PNTs). The Working Group will focus on issues affecting conventional plant breeding, including:
 - (1) definitions and issues of clarity and understanding;
 - (2) assessment of, and feedback on, experience with the current PNT regulatory system;
 - (3) international issues and challenges.From these discussions, the Working Group will identify, explore and recommend areas requiring further action (e.g. possibility of tiered, risk-based assessments).
3. Regarding Recommendation 4, the Forum will convene a Working Group to explore regulatory policies which recognize the variable level of risk associated with plants with novel traits and the need for the Canadian regulatory and management systems to take account of the risks and potential economic impacts associated with unavoidable low levels of adventitious presence of such plants when they have been approved for growing in Canada or other countries. Based on its findings, the Working Group may identify options and/or make recommendations for regulatory or industry measures that would further the

interests of the seed sector and Canadian agriculture producers.

* *The National Farmers Union representative indicated that the NFU does not support these priorities and disagrees with the actions recommended in the Planning Workshop Summary Report related to Intellectual Property and Adventitious Presence.*

Governance

Monty Doyle tabled a revised Governance Document and Erratum incorporating changes suggested since the last Forum meeting. Most Forum members indicated that their concerns had been addressed and that they were prepared to accept the latest draft. It was noted that, as discussed at the first two meetings, the governance structure will remain fluid and what is described in the current document is not cast in stone.

Questions and concerns raised in discussion of this agenda item included:

- Possibility of restructuring the membership of the Executive Committee and Management Committee from time to time;
- Importance of unfiltered dissent being recorded and reported to government;
- Requirement for Working Groups to clearly identify dissent in their reports;
- Desirability of making public the names and/or numbers of representatives of organizations attending Forum and Working Group meetings;
- Absence of information in the Governance Document about the Forum's budget, auditing procedures and signing authorities;
- Whether there is need for a meeting Chair in addition to a facilitator;
- Desirability of adding an explicit reference in the Governance Document to its being continuously open to review and possible change.

In response, a number of further points were made:

- Changes in committee membership can be considered and made at any time provided there is a Forum consensus to do so;



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- The commitment to document and report dissenting views is already included in the Governance Document;
- Working Group reports have been, and will continue to be, circulated to all participants, affording them the opportunity to make additions or corrections including expressions of dissent;
- Forum members may wish to revisit the question of meeting attendance lists, but should be aware there are privacy issues regarding releasing participant names without individual consent;
- The current Forum budget is \$700K and the Secretariat will be pleased to share information about the budget breakdown with anyone who is interested; Agriculture and Agri-Food Canada is auditing the NFS budget annually as required under the ACAAF program which is providing funding for the Forum; until such time as the NFS is a legal entity, financial authorities will not be tied into the governance structure; currently, signing authority is delegated to NFS Secretary-Manager Monty Doyle and Dale Adolphe, as signatory to the ACAAF agreement;
- The proposal to have a Chair related more to having a point of contact and “authority” for meeting preparation and follow up, rather than to the conduct of the meetings themselves.

Decisions (reflecting consensus, with dissent* as noted below):

- 1. It was agreed that a reference to the NFS being subject to regular review and continuously open to change would be added to the Governance Document.**
- 2. The issue of a Chair will be left in abeyance unless/until Forum members agree a meeting Chair is required.**

* *National Farmers Union not fully satisfied that the governance concerns it has raised have been fully addressed.*

Other Business

Barry Reisner, Canadian Seed Growers Association, asked whether the Forum had interest/resources to set up a Working Group on seed purity/quality issues. Glyn

Chancey, CFIA, indicated that there are currently several seed standards issues at play and it might be useful to do some sort of issue identification to determine industry priorities in this area. Bill Leask added that variety identification and naming and DUS standards are also potential issues. It was suggested to hold a planning workshop in the new fiscal year to explore issues related to standards and to determine what issues might be pursued via a working group.

Outcome: This item will be added to the agenda of the next Forum meeting.

Next Steps

The next NFS meeting is tentatively scheduled for March 7, 2006 in Winnipeg.

The Secretariat will schedule back-to-back meetings of the two new Working Groups for the latter half of February or early March and will advise everyone on the stakeholder mailing list (150 groups) so that all those interested can participate. For the Working Group on Adventitious Presence, a specific invitation will be sent to Western Grain Elevator Association. Any other suggestions for targeted invitations should be conveyed to the Secretariat.

The Secretariat will draft a letter to the Minister of Agriculture as soon as possible for submission to the Executive Committee for their approval and action.

The Governance Document will be updated as discussed, and circulated to all Forum members and other interested parties.

The Secretariat will work with the Management Committee and Executive Committee to develop an initial scoping document further elaborating the role and functioning of the proposed Crop Specific Consultative Groups; this draft will then be circulated to Variety Registration Working Group participants and Forum members for comment.