

Seed certification and EU conform legislative harmonization in Hungary

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After having filled in and returned the EU questionnaires in August 1997, followed by the opinion expressed in connection with the situation of Hungary by EU member-states, the preparation work for the accession to the EU entered a new, important stage, and the achievement of conformity between Hungarian and EU legislation is a very near goal.

The task, despite its importance and difficulty, has not taken Hungarian specialists by surprise, as the Hungarian agro-legislation, including the treatment of biological stocks, has been traditionally regulated at a high standard in Hungary.

The first Act came in force in this professional area in 1895.

1895 Act No. XLVI, December 10, 1895
On the prohibition of the forgery of agricultural products (the salesman is obliged to inform the purchaser of the variety, purity and germination % of the seed)

and the last in year 1996

1996 Act of Parliament No. CXXXI on the state registration of plant varieties and multiplication and trade of seed and other propagation materials

It is also a great help that, due to the volume of its seed export Hungary has always played a decisive role in European and international organizations. Hungary has been a member of these organizations either since their foundation or since the demand for it increased.

1921 European Seed Testing Association
1924 International Seed Testing Association

Hungary was also a founding member of FIS, the International Seed Trade Federation, as well.

After the 2nd World War Hungary was one of the first to renew its membership of these organizations, and joined the various OECD Seed Schemes, as associated member.

Hungary has been a full member of the OECD since 1996.
Accession to UPOV: 1983.

After such antecedents it is a natural demand to make preparations for EU harmonization also at the highest professional level. This is justified by the importance of the seed sector and its role in Hungarian agriculture.

Seed multiplication area is yearly about 160–180.000 ha and the quantity of certified seed cca. 350.000 t.

In Hungary the EU preparatory work in the field of seed certification is coordinated by the Working Group of the Ministry of Agriculture and Regional Development on EU conform legislative harmonization. The Working Group was established in 1998, and consist of specialists from the Ministry of Agriculture and Regional Development, the National Institute for Agricultural Quality Control (which I represent), and the Seed Product and Trade Council. The Working Group is now prepared for the multi- and bilateral negotiations with EU. According to the original programme these negotiations should have taken place in October 1998.

But in reality this was the last screening in Brusseles in field of agriculture one year later.

The multilateral sreening was held on 17 of october and the bilateral on 22 of october 1999. The representatives of the Ministry of Agriculture and Regional Developments and of National Institution for Agricultural Quality Control were present on the discussion.

The main points to be discussed were:

- 1.) Legislation (Seed Law, decrees and standards)
- 2.) Institutional background
- 3.) Enforcement in the seed and propagating sector

Comparing the legislation in the EU and in Hungary, it can be ascertained that the legal and technical contents are the same, but the construction of the technical materials is different.

The Hungarian legislation concentrates not on groups of species, but on the general conditions of trading and is regulated at three legal levels, which are already based on the demand for harmonization.

These three legal levels are the following:

- a/ law - the scope of Parliament
- b/ decrees - the competence of the Ministry
- c/ standards which together compulsorily regulate the sector.

a/The Law: Act of Parliament No. CXXXI/1996 on „The State registration of plant cultivars, and the production and trade of seeds and vegetative reproduction materials“

b/The Ministry of Agriculture Decree No. 88/1997 (XI.28.) FM issued for the implementation of the Law on Variety registration

The Ministry of Agriculture Decree No. 89/1997

(XI.28.) FM issued for the implementation of the Law on the „Production and trading of seeds“

The law states that in Hungary only the seed of plant varieties which have been granted state registration can be cultivated and marketed. All marketed seed must meet the prescribed quality requirements.

The first of the decrees regulates the system of variety trials and registration, and the status of the variety lists.

The second decree regulates the seed multiplication categories, the order of field inspection and the certification of seeds for marketing. In the case of field crops this task is the responsibility of the state authority authorized for seed certification, i.e. the National Institute for Agricultural Quality Control. In the case of vegetables and flowers, however, the category „standard seed“ may deviate from this.

The last paragraph of the decree deals with the control of seed processing, with the sale of seed lots on the market, and with statutory tasks in connection with these activities.

The standards include the minimum requirements for each species, deals with sampling and sealing, and with the minimum limit values of entering the trade and with post control tests.

Seed potatoes are dealt with separately from the seed of all other species.

The abovementioned legislation covers the certification of beet seed, fodder plant seed, cereal seed, oil and fibre plant seed, vegetable seed and seed potatoes, as in the European Union.

It should be emphasised that the certification criteria for field inspections and the minimum requirements for seed lots came into force in 1998 and 1999, so work aimed at total harmonization with the EU was practically finished this year.

A study of the legislation shows that there is complete compatibility and identity with respect to

- determining and applying seed categories,
- isolation, parameters and execution of field inspection and certification and the criteria for these,
- sample taking, types of samples, mass of samples,
- post control plot tests.

There are partial derogations in some cases in the minimum requirements for trading, with respect to weed seeds.

Reasons for the derogation

Due to its ecological conditions Hungary is the biggest seed producing region in Europe after France

Ever since the first laws and regulations on the production and distribution of seeds were passed, Hungarian seed legislation has always aimed to promote the high quality of the seed produced in Hungary as regards both biological value (germination) and purity (weed-free), so that it should be competitive on the world market.

Deviations regarding the regulation of the content of other seeds are even more justified. The structure of Hungarian crop production, the continued predominance of mono-

cultures, and the composition and rate of widespread weed species make it necessary to name those weed species, the seeds of which have to be limited in the seed lots. Some of these weed species are not a problem in other parts of Europe (e.g. Galium), so their limitation in seed-lots produced there is not justified, but at the same time unforeseen sanctions are to be expected, if seed-lots with uncleanable other seed content originating from Hungary appear on EU markets.

Galium spp.

Datura stramonium

Cuscuta sp.

The Hungarian seed certification system, the executive authority of which is the National Institute for Agricultural Quality Control, operates on the basis of these laws, decrees and standards

Presently the Institute (OMMI) carries out the tasks of the OECD and ISTA Designated Authority in Hungary, and this is the task of the Seed Inspection Division.

Main activity of this Division

- Inspection and certification of Hungarian bred imported seed and reproductive material for domestic cultivation and according to international specifications.
- Issue of Hungarian and international seed certificates on the basis of field inspections and laboratory tests.
- Study on variety identity and purity by means of post control tests.
- Official control and monitoring of the seed market.
- Keeping authentic records of seed production.

The Budapest laboratory is the only accredited ISTA laboratory in Hungary.

Certificate of membership of NAT (National Accreditation Body)

Certificate of membership of ISTA

Official documents issued by the division/laboratory:

OECD Certificate

International ISTA seed Testing Certificate and Hungarian Seed Certificate Labels (national and international)

At the discussions according to the above facts the Hungarian certification system was introduced which in its present state meets the EU requirements.

Till the full membership the main tasks are to make the procedure to give permission to seed lots that quality parameters are under the minimum standard value more strict and to issue national documents that are equal or the same as the ones issued in the EU.

The Hungarian certification system is suitable to assist the seed industry after the development it went through in the previous years.