

MAIN CONCLUSIONS OF THE ADMINISTRATIVE COUNCIL OF THE CPVO

Brussels, 16 February 2011

Approval of the draft minutes of the meeting of 26 October 2010

The members of the AC approved the minutes of the meeting of 26 October 2010 without amendment.

Report from the President, including the report by the Authorizing Officer (with draft evaluation by the AC)

The voting members of the AC unanimously adopted the authorizing officer's report, which will be included in the 2010 annual report and sent to the Court of Auditors.

The members of the AC took note of the CPVO social report for 2010.

Discharge of the President for implementation of the 2009 budget

The voting members of the AC unanimously adopted the discharge of the President for implementation of the 2009 budget.

Provisional accounts for 2010 and financial outlook

The members of the AC took note of the provisional accounts for 2010. Given that the CPVO's financial situation in 2011 is likely to be less favorable than in 2010, it would be premature at this stage to consider any change in the level of taxes.

Preliminary draft budget for 2012

The members of the AC took note of the preliminary draft budget for 2012. They noted that these figures were only projections for the time being. The AC meeting in June 2011 may be a good opportunity to submit a concrete proposal, if necessary, particularly concerning on-line requests.

Preparation of the list of the members of the Board of Appeal

The members of the AC adopted the list of 21 members (10 technical and 11 legal staff) presented by the CPVO for the period 23 February 2011-22 February 2016.

Final Assessment Report for 2009 by Ernst & Young

The members of the AC took note of this report.

CPVO Staff Policy Plan for 2012-2014

The voting members of the AC unanimously adopted this staff policy plan for 2012-2014.

Quality Audit Service: certification recommendations

The voting members of the AC unanimously adopted the recommendations of the quality audit service for FERA and Naktuinbouw, with abstentions by the United Kingdom (for FERA) and the Netherlands (for Naktuinbouw).

Outcome of the meeting on farm-saved seed

The members of the AC took note of the conclusions of the working group which focused on three main areas: access to information on the use of farm-saved seed collected by breeders; the definition of 'small farmers'; and the definition of 'own holding'.

- On the first issue, the working group agreed (under document 12, point 3.3., first bullet point) that "legislators should ensure that farmers declared whether or not they have used farm-saved seed". This conclusion should now be enacted in the legislation.
- The working group were unable to agree on a new definition of the concept of 'own holding'.

- Regarding the exemption for 'small farmers', the working group did not reach an agreement on excluding the exemption granted to small farmers. It did, however, agree on a new definition of the concept of 'small farmers' that would provide greater flexibility throughout Europe.

Designation of new examination offices, resulting from the inventory of January 2011 on new species

The members of the AC unanimously adopted the designation of the examination offices proposed in the CPVO document.

New CPVO technical protocols for DUS testing

a) CPVO technical protocols for DUS testing in the vegetable sector

The voting members of the AC unanimously adopted the two new protocols CPVO-TP-165/1 (*Anethum graveolens* L.) and CPVO-TP/090/1 (*Brassica oleracea* L. var. *Sabellica* L.) and the correction to CPVO-TP/130/2 (*Asparagus officinalis* L.) without amendments.

The voting members of the AC unanimously adopted the two partial revisions CPVO-TP/GYPSO/2 Corr. (*Gypsophila* L.) and CPVO-TP/013/5 (*Lactuca sativa* L.) with the inclusion of a new characteristic (Characteristic 35) and, for lettuce, the deletion of the asterisk for Characteristic 37.9 (resistance) and the inclusion of Characteristic 37.17 without an asterisk (an error in the document presented).

b) CPVO technical protocols for DUS testing for wheat and triticale varieties

The voting members of the AC unanimously adopted these two protocols with the amendments proposed (2010 amendments maintained for five years).

Date and venue of the next meeting

The next meeting of the AC will be held in Angers on 22 and 23 June 2011.

