

Seed Regulation Modernization Working Group (SRM-WG)

Terms of Reference

Background

The Seed Regulatory Modernization Working Group (SRM-WG) was established by the Seed Sector Value Chain Roundtable (SSVCRT) on March 18, 2019. The SSVCRT created this overarching working group to address priority seed regulatory modernization topics, including the need for a next generation seed system to support Canadian agriculture and food sector innovation and growth. The drivers behind this undertaking are CFIA's plans to amend the Seeds Regulations and the seed industry's united desire for regulatory modernization.

These proposed amendments would modernize the *Seeds Regulations* as they apply to seeds imported, conditioned, stored, tested, labelled, sold in Canada and exported. The proposed amendments would reduce overlap and redundancy; increase responsiveness to industry changes; address gaps, weaknesses and inconsistencies; reduce regulatory burden, and provide clarity and flexibility to affected regulated parties.

The *Seeds Regulations* regulate seeds and seed potatoes in Canada that are sold, imported, or exported, as well as seeds released into the environment. Seeds and seed potatoes must meet established standards for quality and be labelled so that they are properly represented in the marketplace. Varieties of most major agricultural field crops must be registered prior to import or sale of seed.

It is anticipated these proposed amendments will be pre-published in the *Canada Gazette*, Part I in fall 2021.* The CFIA will consult a broad range of stakeholders representing the full value chain, including Seed Synergy (an-industry-led group), regarding any proposed amendments. Consultations on proposed amendments may include identifying changes in the role of government and industry in terms of public-private partnerships for functions such as variety registration, seed standards and seed certifications. The work of the SRM-WG is part of this consultative process.

The SRM-WG's overall work plan will be informed by the CFIA's implementation of government-wide regulatory management and modernization initiatives, including the Cabinet Directive on Regulation, and by research the SRM-WG conducts. Its work plan will be supported by task teams and other sub-initiatives, where and when required.

Mandate

The core mandate of the SRM-WG is to examine Canada's Seed System and propose potential avenues for modernization and improvement.

Objective

The objective is to provide a set of recommendations to the Seed Sector VCRT for input to CFIA as it develops its proposed options for Seeds Regulations amendments by fall 2021.*

Goals

To examine the respective roles and responsibilities of government and the private sector in a next generation seed system resulting from seed regulatory modernization.

To identify relevant areas of concern/topics of interest, and develop and implement a work plan to review, analyze and recommend options for improvement.

Proposed Activities

1. To develop an education piece which provides a baseline to understand Canada's Seed System.
2. Create and implement a work plan.
3. Develop recommendations for modernizing Canada's Seed System.

Governance

The SRM-WG will be comprised of the following industry entities:

1. Seed industry (6 positions)
2. Producer groups (3 positions)
3. Commodity associations/value chain associations (3 positions)
4. Public breeders (2 positions)
5. Other non-government stakeholders (3 positions)

Government representatives will participate as technical advisory resources, as needed.

The SRM-WG work plan will be informed by existing research and research the SRM-WG conducts and will be supported by task teams and other sub-initiatives where required. The SRM-WG will:

1. approve any task team's terms of reference and membership
2. provide direction and support to the task teams
3. review task team recommendations and provide feedback and advice to them
4. make final decisions with respect to the use of task teams' analysis and recommendations

Consultation and Consensus

Recommendations will be developed through a qualified consensus process, that will ensure that at any point in time, parties to the broad consensus may qualify (for the record) their degree of support for conclusions or recommendations agreed upon by the majority. All recommendations and/or action items will be documented in SRM-WG and affiliated task teams meeting summaries, as required. The Working Group may consult with external parties as required to ensure that its analysis and recommendations are robust.

Reporting Structure

The SRM-WG is co-chaired by one industry representative and one federal government representative from the Canadian Food Inspection Agency (CFIA). The SRM-WG reports to the Seed Sector VCRT and consults with CFIA's Industry-Government Working Group on Seed as needed.

Meeting Frequency

The SRM-WG will schedule monthly meetings, or otherwise as required.

Secretariat

AAFC will serve as the Secretariat to support the co-chairs in planning and co-ordinating the work of the SRM-WG.

CONFLICT OF INTEREST

Ethics Guidelines

All SRMWG members shall provide honest and impartial advice and recommendations that are independent and made in good faith. SRMWG members shall not use their position or any SRMWG privileged information that is not publicly available, for personal use, gain, financial or other benefit for themselves or immediate family or any organization with which the member is affiliated. The private interests and/or outside activities of a SRMWG member must not impair, or be perceived to impair, the member's ability to make recommendations with integrity and honesty in the best interests of the SRMWG.

Conflict of Interest Disclaimer

Please be aware that participating in discussions at working group meetings may put individuals in a conflict of interest position and may exclude members from contracting opportunities arising from working groups. Individuals are required to declare in advance to AAFC any actual or perceived conflict of interest they may have.

Confidentiality

Reports or research projects developed by the SRMWG are to be considered drafts and are not to be distributed outside the working group until a final version is approved for distribution by the co-chairs.

Date of Last Review

- The date of the last review of this ToR was June 18, 2019.

* Date subject to change.