**This text is meant purely as a documentation tool and has no legal effect. The Union's institutions do not assume any liability for its contents. The authentic versions of the relevant acts, including their preambles, are those published in the Official Journal of the European Union and available in EUR-Lex. Those official texts are directly accessible through the links embedded in this document**

►B

# COUNCIL DIRECTIVE

## of 14 June 1966

## on the marketing of cereal seed

(66/402/EEC)

(OJ 125, 11.7.1966, p. 2309)

Amended by:

| | | Official Journal | | |
|---|---|---|---|---|
| | | No | page | date |
| ►M1 | Council Directive 69/60/EEC of 18 February 1969 | L 48 | 1 | 26.2.1969 |
| ►M2 | Council Directive 71/162/EEC of 30 March 1971 | L 87 | 24 | 17.4.1971 |
| ►M3 | Council Directive 72/274/EEC of 20 July 1972 | L 171 | 37 | 29.7.1972 |
| ►M4 | Council Directive 72/418/EEC of 6 December 1972 | L 287 | 22 | 26.12.1972 |
| ►M5 | Council Directive 73/438/EEC of 11 December 1973 | L 356 | 79 | 27.12.1973 |
| ►M6 | Council Directive 75/444/EEC of 26 June 1975 | L 196 | 6 | 26.7.1975 |
| ►M7 | Council Directive 78/55/EEC of 19 December 1977 | L 16 | 23 | 20.1.1978 |
| ►M8 | First Commission Directive 78/387/EEC of 18 April 1978 | L 113 | 13 | 25.4.1978 |
| ►M9 | Council Directive 78/692/EEC of 25 July 1978 | L 236 | 13 | 26.8.1978 |
| ►M10 | Council Directive 78/1020/EEC of 5 December 1978 | L 350 | 27 | 14.12.1978 |
| ►M11 | Commission Directive 79/641/EEC of 27 June 1979 | L 183 | 13 | 19.7.1979 |
| ►M12 | Council Directive 79/692/EEC of 24 July 1979 | L 205 | 1 | 13.8.1979 |
| ►M13 | Commission Directive 81/126/EEC of 16 February 1981 | L 67 | 36 | 12.3.1981 |
| ►M14 | Council Directive of 13 July 1981 | L 203 | 52 | 23.7.1981 |
| ►M15 | Council Regulation (EEC) No 3768/85 of 20 December 1985 | L 362 | 8 | 31.12.1985 |
| ►M16 | Council Directive 86/155/EEC of 22 April 1986 | L 118 | 23 | 7.5.1986 |
| ►M17 | Commission Directive 86/320/EEC of 20 June 1986 | L 200 | 38 | 23.7.1986 |
| ►M18 | Commission Directive 87/120/EEC of 14 January 1987 | L 49 | 39 | 18.2.1987 |
| ►M19 | Council Directive 88/332/EEC of 13 June 1988 | L 151 | 82 | 17.6.1988 |
| ►M20 | Council Directive 88/380/EEC of 13 June 1988 | L 187 | 31 | 16.7.1988 |
| ►M21 | Commission Directive 88/506/EEC of 13 September 1988 | L 274 | 44 | 6.10.1988 |
| ►M22 | Commission Directive 89/2/EEC of 15 December 1988 | L 5 | 31 | 7.1.1989 |
| ►M23 | Commission Directive 90/623/EEC of 7 November 1990 | L 333 | 65 | 30.11.1990 |
| ►M24 | Council Directive 90/654/EEC of 4 December 1990 | L 353 | 48 | 17.12.1990 |
| ►M25 | Commission Directive 93/2/EEC | L 54 | 20 | 5.3.1993 |
| ►M26 | Commission Directive 95/6/EC of 20 March 1995 | L 67 | 30 | 25.3.1995 |
| ►M27 | Council Directive 96/72/EC of 18 November 1996 | L 304 | 10 | 27.11.1996 |
| ►M28 | Council Directive 98/95/EC of 14 December 1998 | L 25 | 1 | 1.2.1999 |
| ►M29 | Council Directive 98/96/EC of 14 December 1998 | L 25 | 27 | 1.2.1999 |
| ►M30 | Commission Directive 1999/8/EC of 18 February 1999 | L 50 | 26 | 26.2.1999 |
| ►M31 | Commission Directive 1999/54/EC of 26 May 1999 | L 142 | 30 | 5.6.1999 |
| ►M32 | Council Directive 2001/64/EC of 31 August 2001 | L 234 | 60 | 1.9.2001 |

| | | | | |
|---|---|---|---|---|
| ►**M33** | Council Directive 2003/61/EC of 18 June 2003 | L 165 | 23 | 3.7.2003 |
| ►**M34** | Council Directive 2004/117/EC of 22 December 2004 | L 14 | 18 | 18.1.2005 |
| ►**M35** | Commission Directive 2006/55/EC of 12 June 2006 | L 159 | 13 | 13.6.2006 |
| ►**M36** | Commission Directive 2009/74/EC of 26 June 2009 | L 166 | 40 | 27.6.2009 |
| ►**M37** | Commission Implementing Directive 2012/1/EU of 6 January 2012 | L 4 | 8 | 7.1.2012 |
| ►**M38** | Commission Implementing Directive 2012/37/EU of 22 November 2012 | L 325 | 13 | 23.11.2012 |
| ►**M39** | Commission Implementing Directive (EU) 2015/1955 of 29 October 2015 | L 284 | 142 | 30.10.2015 |
| ►**M40** | Commission Implementing Directive (EU) 2016/317 of 3 March 2016 | L 60 | 72 | 5.3.2016 |
| ►**M41** | Commission Implementing Directive (EU) 2018/1027 of 19 July 2018 | L 184 | 4 | 20.7.2018 |
| ►**M42** | Commission Implementing Directive (EU) 2020/177 of 11 February 2020 | L 41 | 1 | 13.2.2020 |
| ►**M43** | Commission Implementing Directive (EU) 2021/415 of 8 March 2021 | L 81 | 65 | 9.3.2021 |
| ►**M44** | Commission Implementing Directive (EU) 2021/971 of 16 June 2021 | L 214 | 62 | 17.6.2021 |
| ►**M45** | Commission Implementing Directive (EU) 2021/1927 of 5 November 2021 | L 393 | 13 | 8.11.2021 |
| ►**M46** | Commission Implementing Directive (EU) 2021/2171 of 7 December 2021 | L 438 | 84 | 8.12.2021 |

Amended by:

| | | | | |
|---|---|---|---|---|
| ►**A1** | Act concerning the Conditions of Accession and the Adjustments to the Treaties | L 73 | 14 | 27.3.1972 |
| | (adapted by Council Decision of 1 January 1973) | L 2 | 1 | 1.1.1973 |
| ►**A2** | Act concerning the conditions of accession of the Hellenic Republic and the Adjustments to the Treaties | L 291 | 17 | 19.11.1979 |
| ►**A3** | Act concerning the conditions of accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (94/C 241/08) | C 241 | 21 | 29.8.1994 |
| | (adapted by Council Decision 95/1/EC, Euratom, ECSC) | L 1 | 1 | 1.1.1995 |

Corrected by:

►**C1** Consolidated text of corrigenda to instruments published in Special Editions 1952-72, p. 17 (66/402/EEC)
►**C2** Consolidated text of corrigenda to instruments published in Special Editions 1952-72, p. 29 (69/60/EEC)
►**C3** Consolidated text of corrigenda to instruments published in Special Editions 1952-72, p. 87 (71/162/EEC)
►**C4** Consolidated text of corrigenda to instruments published in Special Editions 1952-72, p. 106 (72/418/EEC)
►**C5** Corrigendum, OJ L 199, 26.7.1997, p. 69 (66/402/EEC)
►**C6** Corrigendum, OJ L 161, 16.6.2001, p. 47 (98/95/EC)
►**C7** Corrigendum, OJ L 161, 16.6.2001, p. 48 (98/96/EC)

▼B

# COUNCIL DIRECTIVE

## of 14 June 1966

## on the marketing of cereal seed

(66/402/EEC)

▼M28

*Article 1*

This Directive shall apply to the production with a view to marketing, and to the marketing, of cereal seed within the Community.

*Article 1a*

For the purposes of this Directive 'marketing' shall mean the sale, holding with a view to sale, offer for sale and any disposal, supply or transfer aimed at commercial exploitation of seed to third parties, whether or not for consideration.

Trade in seed not aimed at commercial exploitation of the variety, such as the following operations, shall not be regarded as marketing:

— the supply of seed to official testing and inspection bodies;

— the supply of seed to providers of services for processing or packaging, provided the provider of services does not acquire title to seed thus supplied.

The supply of seed under certain conditions to providers of services for the production of certain agricultural raw materials, intended for industrial purposes, or seed propagation for that purpose, shall not be regarded as marketing, provided the provider of services does not acquire title to either the seed thus supplied or the product of the harvest. The supplier of seed shall provide the Certification Authority with a copy of the relevant parts of the contract made with the provider of services and this shall include the standards and conditions currently met by the seed provided.

The conditions for the application of this provision shall be determined in accordance with the procedure laid down in Article 21.

▼B

*Article 2*

1. For the purposes of this Directive, the following definitions shall apply:

▼M4

A. Cereals: plants of the following species intended for agricultural or horticultural production other than production for ornamental purposes:

▼M36

| | |
|---|---|
| *Avena nuda* L. | Small naked oat, Hulless oat |
| *Avena sativa* L. (includes *A. byzantina* K. Koch) | Oats and Red oat |
| *Avena strigosa* Schreb. | Black oat, Bristle oat |

▼M11

| | |
|---|---|
| *Hordeum vulgare* L. | Barley |

▼B

| | |
|---|---|
| *Oryza sativa* L. | Rice |

▼M1

| | |
|---|---|
| *Phalaris canariensis* L. | Canary grass |

▼B

| | |
|---|---|
| *Secale cereale* L. | Rye |

▼M43

| | |
|---|---|
| *Sorghum bicolor* (L.) Moench subsp. *bicolor* | Sorghum |
| *Sorghum bicolor* (L.) Moench subsp. *drummondii* (Steud.) de Wet ex Davidse | Sudan grass |

▼M36

| | |
|---|---|
| *xTriticosecale* Wittm. ex A. Camus | hybrids resulting from the crossing of a species of the genus *Triticum* and a species of the genus *Secale* |

▼M43

| | |
|---|---|
| *Triticum aestivum* L. subsp. *aestivum* | Wheat |
| *Triticum turgidum* L. subsp. *durum* (Desf.) van Slageren | Durum wheat |
| *Triticum aestivum* L. subsp. *spelta* (L.) Thell. | Spelt wheat |

▼M2

| | |
|---|---|
| *Zea mays* L. ►M18 (partim) ◄ | Maize except popcorn and sweet corn. |

▼M17

This definition shall also cover the following hybrids resulting from the crossing of species referred to above.

▼M43

| | |
|---|---|
| *Sorghum bicolor* (L.) Moench subsp. *bicolor* x *Sorghum bicolor* (L.) Moench subsp. *drummondii* (Steud.) de Wet ex Davidse | Hybrids resulting from the crossing of *Sorghum bicolor* (L.) Moench subsp. *bicolor* and *Sorghum bicolor* (L.) Moench subsp. *drummondii* (Steud.) de Wet ex Davidse |

▼M17

Unless otherwise specified, seed of the aforementioned hybrids shall be subject to the standards or other conditions applicable to seed of each of the species from which they are derived.

▼B

B. Varieties, hybrids and inbred lines of maize ►M16 and *Sorghum* spp. ◄:

(a) Open-pollinated variety: a sufficiently uniform and stable variety;

(b) Inbred line: a sufficiently uniform and stable line, obtained either by artificial self-fertilization accompanied by selection over several successive generations or by equivalent operations;

(c) Simple hybrid: the first generation of a cross, defined by the breeder, between two inbred lines;

(d) Double hybrid: the first generation of a cross, defined by the breeder, between two simple hybrids;

▼B

(e) ►C1 Triple-cross ◄ hybrid: the first generation of a cross, defined by the breeder, between an inbred line and a simple hybrid;

(f) Top Cross hybrid: the first generation of a cross, defined by the breeder, between an inbred line or a simple hybrid and an open-pollinated variety;

(g) Intervarietal hybrid: the first generation of a cross, defined by the breeder, between plants grown from basic seed of two open-pollinated varieties.

▼M20

C. Basic seed (oats, barley, rice, canary grass, rye triticale, wheat, durum wheat and spelt wheat, other than hybrids in each case): seed

▼B

(a) which has been produced under the responsibility of the breeder according to accepted practices for the maintenance of the variety;

(b) which is intended for the production of seed either of the category ‘certified seed’ or of the categories ‘certified seed, first generation’ or ‘certified seed, second generation’;

(c) which, subject to the provisions of Article 4 (1) (a), satisfies the conditions laid down in Annexes I and II for basic seed; and

▼M34

(d) which has been found by official examination or in the case of the conditions laid down in Annex II, either by official examination or by examination carried out under official supervision to satisfy the conditions set out in (a), (b) and (c).

▼M20

Ca. ►M31 Basic seed (hybrids of oats, barley, rice, rye, wheat, durum wheat, spelt wheat and self-pollinating triticale) ◄

(a) which is intended for the production of hybrids;

(b) which, subject to the provisions of Article 4, satisfies the conditions laid down in Annexes I and II for basic seed; and

▼M34

(c) which has been found by official examination or, in the case of the conditions laid down in Annex II, either by official examination or by examination carried out under official supervision to satisfy the conditions set out in (a) and (b).

▼B

D. Basic seed maize ►M16 *Sorghum* spp. ◄:

1. Basic seed of open-pollinated varieties: seed

(a) which has been produced under the responsibility of the breeder according to accepted practices for the maintenance of the variety;

▼B

(b) which is intended for the production of seed of this variety of the category 'certified seed' or of Top Cross hybrids or of intervarietal hybrids;

(c) which, subject to the provisions of Article 4, satisfies the conditions laid down in Annexes I and II for basic seed; and

▼M34

(d) which has been found by official examination or, in the case of the conditions laid down in Annex II, either by official examination or by examination carried out under official supervision to satisfy the conditions set out in (a), (b) and (c).

▼B

2. Basic seed of inbred lines: seed

(a) which, subject to the provisions of Article 4, satisfies the conditions laid down in Annexes I and II for basic seed; and

▼M34

(b) which has been found by official examination or, in the case of the conditions laid down in Annex II, either by official examination or by examination carried out under official supervision to satisfy the conditions set out in (a).

▼B

3. Basic seed of simple hybrids: seed

(a) which is intended for the production of double hybrids, ►C1 triple-cross ◄ hybrids or Top Cross hybrids;

(b) which, subject to the provisions of Article 4, satisfies the conditions laid down in Annexes I and II for basic seed; and

▼M34

(c) which has been found by official examination or, in the case of the conditions laid down in Annex II, either by official examination or by examination carried out under official supervision to satisfy the conditions set out in (a) and (b).

▼M20

E. ►M31 Certified seed (canary grass, other than hybrids, rye, sorghum, sudan grass, maize and hybrids of oats, barley, rice, wheat, durum wheat, spelt wheat and self pollinating triticale): seed ◄

▼M1

(a) which ►C2 has been produced directly ◄ from basic seed or, if the breeder so requests, from seed of a generation prior to basic seed which can satisfy and has been found by official examination to satisfy the conditions laid down in Annexes I and II for basic seed;

▼B

(b) which is intended for purposes other than the production of cereal seed;

▼B

(c) which, subject to the provisions of Article 4 (1) (b) and (2), satisfies the conditions laid down in Annexes I and II for certified seed; and

▼M34

(d) which has been found by official examination or by examination carried out under official supervision to satisfy the conditions set out in (a), (b) and (c).

▼M20

F. Certified seed of the first generation (oats, barley, rice, triticale, wheat, durum wheat and spelt wheat, other than hybrids in each case): seed

▼M1

(a) which ►C2 has been produced directly ◄ from basic seed or, if the breeder so requests, from seed of a generation prior to basic seed which has been found by official examination to satisfy the conditions laid down in Annexes I and II for basic seed;

▼B

(b) which is intended either for the production of seed of the category ‘certified seed, second generation’ or for purposes other than the production of cereal seed;

(c) which satisfies the conditions laid down in Annexes I and II for certified seed of the first generation; and

▼M34

(d) which has been found by official examination or by examination carried out under official supervision to satisfy the conditions set out in (a), (b) and (c).

▼M20

G. Certified seed of the second generation (oats, barley, rice, triticale, wheat, durum wheat and spelt wheat, other than hybrids in each case): seed

▼M1

(a) which ►C2 has been produced directly ◄ from basic seed, from certified seed of the first generation or, if the breeder so requests, from seed of a generation prior to basic seed which has been found by official examination to satisfy the conditions laid down in Annexes I and II for basic seed;

▼B

(b) which is intended for purposes other than the production of cereal seed;

(c) which satisfies the conditions laid down in Annexes I and II for certified seed of the second generation; and

▼M34

(d) which has been found by official examination or by examination carried out under official supervision to satisfy the conditions set out in (a), (b) and (c).

▼B

H. Official measures: measures taken

(a) by State authorities, or

▼B

(b) by any legal person whether governed by public or by private law, acting under the responsibility of the State, or

(c) in the case of ancillary activities which are also subject to State control, by any natural person duly sworn for that purpose,

provided that the persons mentioned under (b) and (c) derive no private gain from such measures.

▼M29

1a. Amendments to be made to the list of species referred to in paragraph 1(A) shall be adopted in accordance with the procedure laid down in Article 21.

▼M20

1b. Amendments to be made to paragraph 1 (C) (Ca), (E), (F) and (G) for the purpose of including hybrids of canary grass, rye and triticale in the scope of this Directive shall be adopted in accordance with the procedure laid down in Article 21.

1c. The different types of varieties, including the components, eligible for certification under the provisions of this Directive, may be specified and defined in accordance with the procedure laid down in Article 21. In accordance with the same procedure the definitions in paragraph 1 (B) shall be adapted accordingly.

▼M28

_____

▼M12

►M20 1e. ◄ Until ►M20 30 June 1987 ◄, Member States may be authorized, in accordance with the procedure laid down in Article 21, to permit the marketing of seed of specific varieties of rye, chiefly intended for use as fodder, which do not satisfy the conditions laid down:

— in Annex II as regards germination.

▼M20

_____

▼B

2. Member States may:

(a) include several generations in the basic seed category and subdivide this category by generation;

(b) provide that official examinations in respect of germination and analytical purity not be carried out on all lots during certification unless there is doubt whether the conditions laid down in Annex II in these respects have been satisfied;

▼M1

(c) during a transitional period of not more than three years after the entry into force of the laws, regulations or administrative provisions necessary to comply with this Directive, and by way of derogation from paragraph 1 (E), (F) and (G), certify as certified seed seed which is of direct descent from seed officially controlled in a Member State under the scheme in operation at that time and which affords the same assurances as basic seed certified in accordance with the principles of this Directive; this provision shall apply correspondingly to the certified seed of the first generation referred to in paragraph 1 (G);

▼**M5**

(d) be authorized, on request and according to the procedure laid down in Article 21, to officially certify seed of autogamous species of the categories ‘certified seed, first generation’ or ‘certified seed, second generation’ until ►**M20** 30 June 1989 ◄ at the latest:

— when, instead of the official field inspection prescribed in Annex I, a field inspection, officially controlled by spot-checks on at least 20 % of the crops of each species, is carried out;

— provided that, in addition to the basic seed, at least the two generations of pre-basic seed immediately preceding that category, have been found by an official examination carried out in Member State concerned, to satisfy the conditions laid down in Annexes I and II as to the varietal identity and varietal purity of basic seed.

▼**M34**

3. When the examination under official supervision set out in paragraphs (1)(C)(d), (1)(Ca)(c), (1)(D)(1)(d), (1)(D)(2)(b), (1)(D)(3)(c), (1)(E)(d), (1) (F)(d) and (1)(G)(d) is carried out, the following requirements shall be complied with:

A. Field inspection

(a) The inspectors shall:

(i) have the necessary technical qualifications;

(ii) derive no private gain in connection with the carrying out of the inspections;

(iii) have been officially licensed by the seed certification authority of the Member State concerned and this licensing shall include either the swearing-in of inspectors or the signature by inspectors of a written statement of commitment to the rules governing official examinations;

(iv) carry out inspections under official supervision in accordance with the rules applicable to official inspections.

(b) The seed crop to be inspected shall be grown from seed, which has undergone official post-control, the results of which have been satisfactory.

(c) A proportion of the seed crops shall be checked by official inspectors. That proportion shall be at least 5 %.

(d) A proportion of samples from the seed lots harvested from the seed crops shall be drawn for official post control and, where appropriate, for official laboratory seed testing in respect of varietal identity and purity.

▼**M34**

(e) The Member States shall lay down the rules on penalties applicable to infringements of the national provisions governing examination under official supervision, adopted pursuant to this Directive. The penalties provided for must be effective, proportionate and dissuasive. Penalties may include the withdrawal of the licence provided for in (a)(iii), from officially licensed inspectors who are found guilty of deliberately or negligently contravening the rules governing official examinations. The Member States shall ensure that any certification of the seed examined is annulled in the event of such contravention unless it can be shown that such seed still meets all relevant requirements.

B. Seed testing

(a) Seed testing shall be carried out by seed-testing laboratories which have been authorised for that purpose by the seed certification authority of the Member State concerned under the conditions set out in (b) to (d).

(b) The seed-testing laboratory shall have a seed analyst-in-charge who has direct responsibility for the technical operations of the laboratory and has the necessary qualifications for technical management of a seed-testing laboratory.

Its seed analysts shall have the necessary technical qualifications obtained in training courses organised under conditions applicable to official seed analysts and confirmed by official examinations.

The laboratory shall be maintained in premises and with equipment officially considered by the seed certification authority to be satisfactory for the purpose of seed testing, within the scope of the authorisation.

It shall carry out seed testing in accordance with current international methods.

(c) The seed-testing laboratory shall be:

(i) an independent laboratory;

or

(ii) a laboratory belonging to a seed company.

In the case referred to in (ii), the laboratory may carry out seed testing only on seed lots produced on behalf of the seed company to which it belongs, unless it has been otherwise agreed between that seed company, the applicant for certification and the competent seed certification authority.

(d) The seed-testing laboratory's performance of seed testing shall be subject to appropriate supervision by the seed certification authority.

▼M34

(e) For the purposes of the supervision referred to in (d) a proportion of the seed lots entered for the official certification shall be check-tested by official seed testing. That proportion shall in principle be as evenly spread as possible over natural and legal persons entering seed for certification, and the species entered, but may also be oriented to eliminate specific doubts. That proportion shall be at least 5 %.

(f) The Member States shall lay down the rules on penalties applicable to infringements of the national provisions governing examination under official supervision, adopted pursuant to this Directive. The penalties provided for must be effective, proportionate and dissuasive. Penalties may include the withdrawal of the authorisation provided for in (a), from officially authorised seed-testing laboratories which are found guilty of deliberately or negligently contravening the rules governing official examinations. The Member States shall ensure that any certification of the seed examined is annulled in the event of such contravention unless it can be shown that such seed still meets all relevant requirements.

▼M29

4. Further measures applicable to the carrying out of examinations under official supervision may be adopted in accordance with the procedure laid down in Article 21.

▼M34

_____

▼B

*Article 3*

▼M28

1. Member States shall provide that cereal seed may not be placed on the market unless it has been officially certified as ‘basic seed’, ‘certified seed’, ‘certified seed, first generation’ or ‘certified seed, second generation’.

▼B

2. The Member States shall, for the purposes of certification ►M28 ————— ◄, fix the maximum moisture content of basic seed and certified seed of all kinds.

3. The Member States shall ensure that the official examinations of seed are carried out in accordance with current international methods, insofar as such methods exist.

▼M28

_____

*Article 3a*

Notwithstanding Article 3(1), Member States shall provide that:

— bred seed of generations prior to basic seed, and

— seed as grown, marketed for processing, provided that the identity of the seed is ensured,

may be placed on the market.

▼B

*Article 4*

1. Member States may, however, by way of derogation from the provisions of Article 3:

(a) authorize the official certification and marketing of basic seed which does not satisfy the conditions laid down in Annex II in respect of germination; to this end all necessary measures shall be taken to ensure that the supplier guarantees a specific germination which he shall state for marketing purposes on a special label bearing his name and address and the reference number of the seed lot;

(b) in order to make ►M1 ———— ◄ seed rapidly available, not-withstanding the fact that the official examination to check compliance with the conditions laid down in Annex II in respect of germination has not been concluded, authorize the official certification and marketing as far as the first buyer by way of trade of the categories 'basic seed' or 'certified seed'. Certification shall be granted only on presentation of a provisional analytical report on the seed and provided that the name and address of the first recipient are given; all necessary measures shall be taken to ensure that the supplier guarantees the germination ascertained at the provisional analysis; this germination shall be stated for marketing purposes on a special label bearing the name and address of the supplier and the reference number of the lot.

These provisions shall not apply to seed imported from third countries, save as otherwise provided in Article 15 in respect of multiplication outside the Community.

▼M28

———

———

4. Member States making use of the derogation provided for in either subparagraph 1(a) or 1(b) shall assist each other administratively as regards inspection.

*Article 4a*

1. Notwithstanding Article 3(1), Member States may authorise producers in their own territory to place on the market:

(a) small quantities of seed for, scientific purposes or selection work;

(b) appropriate quantities of seed for other test or trial purposes, provided it belongs to varieties for which an application for entry in the catalogue has been submitted in the Member State in question.

In the case of genetically modified material, such authorisation may be granted only if all appropriate measures have been taken to avoid adverse effects on human health and the environment. For the environmental risk assessment to be carried out in this respect, the provisions of Article 7(4) of Directive 70/457/EEC shall apply accordingly.

2. The purposes for which the authorities referred to in paragraph 1(b) may be given, the provisions relating to the marking of packages, and the quantities and the conditions under which Member States may grant such authorisation shall be determined in accordance with the procedure laid down in Article 21.

▼M28

3. Authorisations granted before the date of adoption of this Directive by Member States to producers in their own territory for the purposes set out in paragraph 1 shall remain in force pending determination of the provisions referred to in paragraph 2. Thereafter, all such authorisations shall respect the provisions established in accordance with paragraph 2.

▼B

*Article 5*

Member States may, as regards the conditions laid down in Annexes I and II, impose additional or more stringent requirements for the certification of seed produced in their own territory.

▼M28

*Article 5a*

Member States may restrict the certification of seed of oats, barley, rice and wheat to that of certified seed of the first generation.

▼B

*Article 6*

▼M2

The Member States shall provide that the description of genealogical components which may be required is, if the breeder so requests, treated as confidential.

▼B

*Article 7*

▼M34

1. Member States shall require that, for the checking of varieties, and for the examination of seed for certification, samples are drawn officially or under official supervision in accordance with appropriate methods. However, seed sampling with a view to controls pursuant to Article 19 shall be carried out officially.

1a. When the seed sampling under official supervision provided for in paragraph 1 is carried out, the following requirements shall be complied with:

(a) seed sampling shall be carried out by seed samplers who have been authorised for that purpose by the seed certification authority of the Member State concerned under the conditions set out in (b), (c), and (d);

(b) seed samplers shall have the necessary technical qualifications obtained in training courses organised under conditions applicable to official seed samplers and confirmed by official examinations.

They shall carry out seed sampling in accordance with current international methods;

(c) seed samplers shall be:

(i) independent natural persons;

▼M34

(ii) persons employed by natural or legal persons whose activities do not involve seed production, seed growing, seed processing or seed trade;

or

(iii) persons employed by natural or legal persons whose activities involve seed production, seed growing, seed processing or seed trade.

In the case referred to in (iii), a seed sampler may carry out seed sampling only on seed lots produced on behalf of his employer, unless it has been otherwise agreed between his employer, the applicant for certification and the seed certification authority;

(d) the performance of the seed samplers shall be subject to appropriate supervision by the seed certification authority. When automatic sampling is in operation appropriate procedures must be adhered to and officially supervised;

(e) for the purposes of the supervision referred to in (d) a proportion of the seed lots entered for official certification shall be check-sampled by official seed samplers. That proportion shall in principle be as evenly spread as possible over natural and legal persons entering seed for certification, and the species entered but may also be oriented to eliminate specific doubts. That proportion shall be at least 5%. This check sampling does not apply to automatic sampling.

The Member States shall compare the seed samples drawn officially with those of the same seed lot drawn under official supervision;

(f) the Member States shall lay down the rules on penalties applicable to infringements of the national provisions governing examination under official supervision, adopted pursuant to this Directive. The penalties provided for must be effective, proportionate and dissuasive. Penalties may include the withdrawal of the authorisation provided for in (a), from officially authorised seed samplers who are found guilty of deliberately or negligently contravening the rules governing official examinations. The Member States shall ensure that any certification of the seed sampled is annulled in the event of such contravention unless it can be shown that such seed still meets all relevant requirements.

1b. Further measures applicable to the carrying out of seed sampling under official supervision may be adopted in accordance with the procedure laid down in Article 21(2).

▼B

2. For the examination of seed for certification, samples shall be drawn from homogeneous lots; the maximum weight of a lot and the minimum weight of a sample are given in Annex III.

*Article 8*

1. The Member States shall require that basic seed and certified seed of all kinds be marketed only in sufficiently homogeneous ►M1 lots ◄ and in sealed ►C1 packages ◄ bearing, as prescribed in Articles 9 and 10, a sealing device and markings.

▼B

2. Member States may, for the marketing of small quantities to the final consumer, provide for derogations from the provisions of paragraph 1 in respect of packaging, sealing and marking.

*Article 9*

▼M9

1. The Member States shall require that packages of basic seed and certified seed of all categories be sealed officially or under official supervision in such a manner that they cannot be opened without damaging the sealing system or without leaving evidence of tampering on either the official label provided for in Article 10 (1) or the package.

In order to ensure sealing, the sealing system shall comprise at least either the abovementioned label or the affixing of an official seal.

The measures provided for in the second subparagraph above shall not be necessary where a non-reusable sealing system is used.

In accordance with the procedure laid down in Article 21, it may be established whether a particular sealing system complies with the provisions of this paragraph.

▼M1

2. Packages which have been officially sealed shall not be resealed, whether one or more times, except officially ►M9 or under official ◄ supervision. If packages are resealed, the fact of resealing, the most recent date of resealing and the authority responsible therefor shall be stated on the label required under Article 10 (1).

▼M6

3. Member States may provide for exceptions to paragraph 1 in the case of small packages ►M28 sealed in their own territory. Conditions relating to these exceptions may be determined in accordance with the procedure laid down in Article 21 ◄.

▼M7

*Article 10*

1. Member States shall require that packages of basic seed and certified seed of all kinds:

(a) be labelled on the outside with an official label which has not previously been used, which satisfies the conditions laid down in Annex IV and on which the information is given in one of the official languages of the Community. The colour of the label shall be white for basic seed, blue for certified seed and for certified seed of the first generation and red for certified seed of the second generation. When a label with a string-hole is used, its attachment shall be ensured in all cases with an official seal. If, in cases under Article 4 (1) (a) and (2), the basic seed or maize seed does not satisfy the conditions laid down in Annex II in respect of germination, this fact shall be stated on the label. The use of official adhesive labels shall be authorized. In accordance with the procedure laid down in Article 21, the indelible printing under official supervision of the prescribed information on the package according to the label's model may be authorized;

(b) contain an official document, in the same colour as the label, giving at least the information required under Annex IV (A) (a) (3), (4) and (5). This document shall be drawn up in such a manner that it cannot be confused with the official label referred to under (a). This document is not necessary if the information is printed indelibly on the package or if, in accordance with the provisions under (a), an adhesive label or a label of non-tear material is used.

▼M28

2. Member States may provide for exceptions to paragraph 1 in the case of small packages sealed in their own territory. Conditions relating to these exceptions may be determined in accordance with the procedure laid down in Article 21.

▼M7

3. In accordance with the procedure laid down in Article 21, Member States may be authorized to retain until 30 June 1980 provisions allowing the marketing of cereal seeds the packaging of which includes the prescribed information but in a different layout from that provided for in the sixth sentence of paragraph 1 (a).

▼M32

*Article 10a*

1. Member States may, by way of derogation from Articles 8, 9 and 10, provide a simplification of the provisions relating to the closing device and the marking of packages in the case of marketing of seed of the category ‘certified seed’ in bulk to the final consumer.

2. Conditions for the application of the derogation under paragraph 1 above shall be determined in accordance with the procedure referred to in Article 21(2).

Until such measures are adopted, the conditions set out in Article 2 of Commission Decision 94/650/EC ([1]) shall apply.

▼M28

*Article 11*

1. In accordance with the procedure laid down in Article 21, it may be provided that, in cases other than those already provided for in this Directive, packages of basic or certified seed of any kind shall bear a supplier's label (which may either be a label separate from the official label or take the form of suppliers' information printed on the package itself). The particulars to be provided on any such label shall also be established in accordance with the procedure laid down in Article 21.

2. This Directive shall not affect the right of Member States to require that seed lots complying with the special conditions concerning the presence of Avena fatua laid down in accordance with the procedure provided for in Article 21 shall be accompanied by an official certificate attesting compliance with those conditions.

*Article 11a*

In the case of seed of a variety which has been genetically modified, any label or document, official or otherwise, which is affixed to or accompanies the seed lot, under the provisions of this Directive, shall clearly indicate that the variety has been genetically modified.

▼B

*Article 12*

The Member States shall require that any chemical treatment of basic seed or certified seed of all ►C1 categories ◄ be noted either on the official label or on the supplier's label and on the ►C1 package ◄ or inside it.

([1]) OJ L 252, 28.9.1994, p. 15. Decision as last amended by Commission Decision 2000/441/EC (OJ L 176, 15.7.2000, p. 50).

▼B

*Article 13*

▼M12

1. Member States ►M28 shall ◄ permit seed of a species of cereal to be marketed in the form of specific mixtures of seeds of various varieties provided that scientific or technical knowledge indicates that these mixtures are such as to be particularly effective against the propagation of certain harmful organisms and provided also that the components of the mixture comply, before mixing, with the marketing rules applicable to them.

▼B

►M12 2. ◄ Member States ►M28 shall ◄ authorize the marketing of cereal seed in the form of ►C1 mixtures ◄ of various species, provided that the components of the blend complied, before blending, with the marketing rules applicable to them.

▼M28

2a. The specific conditions under which such mixtures may be marketed shall be determined in accordance with the procedure laid down in Article 21.

▼B

►M12 3. ◄ The provisions of Articles 8, 9 and 11 shall apply, as shall also those of Article 10, except that for ►C1 mixtures ◄ the label used shall be green.

▼M20

*Article 13a*

▼M29

For the purpose of seeking improved alternatives to certain provisions set out in this directive, it may be decided to organise temporary experiments under specified conditions at Community level in accordance with the provisions laid down in Article 21.

▼M20

In the framework of such experiments, Member States may be released from certain obligations laid down in this Directive. The extent of that release shall be defined with reference to the provisions to which it applies. The duration of an experiment shall not exceed seven years.

▼B

*Article 14*

▼M28

1. Member States shall ensure that seed which is placed on the market under the provisions of this Directive, whether mandatory or discretionary, is not subject to any marketing restrictions as regards its characteristics, examination requirements, marking and sealing other than those laid down in this or any other Directive.

▼A1

1a. The Commission, in accordance with the procedure provided for in Article 21, shall for the marketing of cereal seeds authorize, in respect of the whole or parts of the territory of one or more Member States, provisions which are more strict than those laid down in Annex II concerning the presence of Avena fatua in those seeds, if similar provisions are applied to the home production of those seeds

▼A1

and if there is a campaign to eradicate Avena fatua from cereals grown in the region in question.

▼M28

_____

_____

*Article 14a*

The conditions under which bred seed of generations prior to basic seed may be placed on the market under the first indent of Article 3a, shall be as follows:

(a) it must have been officially inspected by the competent certification authority in accordance with the provisions applicable to the certification of basic seed;

(b) it must be packed in accordance with the provisions of this Directive; and

(c) the packages must bear an official label giving at least the following particulars:

— certification authority and Member State or their distinguishing abbreviation,

— lot reference number,

— month and year of sealing, or

— month and year of the last official sampling for the purposes of certification,

— species, indicated at least under its botanical name, which may be given in abridged form and without the authors' names, in Roman characters,

— variety, indicated at least in Roman characters,

— the description ‘pre-basic seed’,

— number of generations preceding seed of the categories ‘certified seed’ or ‘certified seed of the first generation’.

The label shall be white with a diagonal violet line.

▼M20

*Article 15*

1. The Member States shall provide that cereal seed

— which has been produced directly from basic seed or certified seed of the first generation officially certified either in one or more Member States or in a third country which has been granted equivalence under Article 16 (1) (b), or which has been produced directly from the crossing of basic seed officially certified in a Member State with basic seed officially certified in such a third country, and

— which has been harvested in another Member State,

shall, on request and without prejudice to the provisions of Directive 70/457/EEC, be officially certified as certified seed in any Member State if that seed has undergone field inspection satisfying the conditions laid down in Annex I for the relevant category and if official examination has shown that the conditions laid down in Annex II for the same category are satisfied.

▼M20

Where in such cases the seed has been produced directly from officially certified seed of generations prior to basic seed, Member States may also authorize official certification as basic seed, if the conditions laid down for that category are satisfied.

▼M28

2. Cereal seed which has been harvested in the Community, and which is intended for certification in accordance with paragraph 1, shall:

— be packed and labelled with an official label satisfying the conditions laid down in Annex V(A) and (B), in accordance with Article 9(1), and

— be accompanied by an official document satisfying the conditions laid down in Annex V(C).

The provisions in the first subparagraph on packing and labelling may be waived if the authorities responsible for field inspection, those drawing up the documents for the certification of seeds which have not been definitively certified and those responsible for certification are the same, or if they agree on exemption.

▼M34

3. The Member States shall also provide that cereal seed harvested in a third country shall, on request, be officially certified if:

(a) it has been produced directly from:

(i) basic seed or certified seed of the first generation officially certified either in one or more Member States or in a third country which has been granted equivalence under Article 16(1)(b);

or

(ii) the crossing of basic seed officially certified in a Member State with basic seed officially certified in a third country referred to in (i);

(b) it has undergone field inspection satisfying the conditions laid down in an equivalence decision made under Article 16(1)(a) for the relevant category;

(c) official examination has shown that the conditions laid down in Annex II for the same category are satisfied.

▼B

*Article 16*

1. The Council, acting by a qualified majority on a proposal from the Commission, shall determine whether:

(a) in the case provided for in Article 15, the field inspections in the third country satisfy the conditions laid down in Annex I;

▼M34

(b) cereal seed harvested in a third country and affording the same assurances as regards its characteristics and the arrangements for its examination, for ensuring identity, for marking and for control is equivalent in these respects to seed harvested within the Community and complying with the provisions of this Directive.

▼B

2. ►M5 Member States may themselves take decisions under paragraph 1 concerning a third country, in so far as the Council has not yet taken a decision with regard to that country within the framework of this Directive. This right shall expire on 1 July 1975. ◄

▼M3

3. Paragraphs 1 and 2 shall also apply in respect of any new Member State from the date of its accession to the date on which it is to bring into force the laws, regulations or administrative provisions necessary to comply with this Directive.

▼M24

4. Paragraph 1 shall also apply to the territory of the former German Democratic Republic until 31 December 1991. Detailed rules may be adopted in accordance with the procedure laid down in Article 21.

▼M28

*Article 17*

1. In order to remove any temporary difficulties in the general supply of basic or certified seed that occur in the Community and cannot be otherwise overcome, it may be decided in accordance with the procedure laid down in Article 21 that Member States shall permit, for a specified period, the marketing throughout the Community in quantities necessary to resolve the supply difficulties of seed of a category subject to less stringent requirements, or of seed of a variety not included in the *Common Catalogue of Varieties of Agricultural Plant Species* or in the national catalogues of varieties of the Member States.

2. For a category of seed of any given variety, the official label shall be that provided for the corresponding category; for seed of varieties not included in the abovementioned catalogues the colour of the official label shall be brown. The label shall always state that the seed in question is of a category satisfying less stringent requirements.

3. Rules for the application of paragraph 1 may be adopted in accordance with the procedure laid down in Article 21.

▼B

*Article 18*

This Directive shall not apply to cereal seed shown to be intended for export to third countries.

*Article 19*

▼M28

1. Member States shall ensure that official inspections are carried out in relation to the marketing, at least by random checks, to verify compliance with the requirements of this Directive.

▼**M28**

2. Without prejudice to the free movement of seed within the Community, Member States shall take all necessary measures to ensure that they are supplied with the following particulars during the marketing of quantities exceeding two kilograms of seed imported from third countries:

(a) species;

(b) variety;

(c) category;

(d) country of production and official inspection authority;

(e) country of dispatch;

(f) importer;

(g) quantity of seed.

The manner in which these particulars are to be presented may be determined in accordance with the procedure laid down in Article 21.

▼**M33**

*Article 20*

1. Community comparative tests and trials shall be carried out within the Community for the post-control of samples of cereal seed placed on the market under the provisions of this Directive, whether mandatory or discretionary, and taken during sampling. The comparative tests and trials may include the following:

— seed harvested in third countries,

— seed suitable for organic farming,

— seed marketed in relation to the conservation *in situ* and the sustainable use of plant genetic resources.

2. These comparative tests and trials shall be used to harmonise the technical methods of certification and to check satisfaction of the conditions with which the seed must comply.

3. The Commission, acting in accordance with the procedure referred to in Article 21, shall make the necessary arrangements for the comparative tests and trials to be carried out. The Commission shall inform the Committee referred to in Article 21 about the technical arrangements for holding the tests and trials and the results thereof.

4. The Community may make a financial contribution to the performance of the tests and trials foreseen in paragraphs 1 and 2.

The financial contribution shall not exceed the annual appropriations decided by the budgetary authority.

5. The tests and trials which may benefit from a Community financial contribution, and detailed rules for the provision of the financial contribution, shall be established in accordance with the procedure laid down in Article 21.

6. The tests and trials foreseen in paragraphs 1 and 2 may be performed only by State authorities or legal persons acting under the responsibility of the State.

▼M32

*Article 21*

1. The Commission shall be assisted by the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry established by Article 1 of Decision 66/399/EEC (hereinafter 'the Committee').

2. Where reference is made to this paragraph, Articles 4 and 7 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ([1]) shall apply.

The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its rules of procedures.

▼M2

*Article 21a*

▼M5

Amendments to be made to the content of the Annexes in the light of the development of scienific or technical knowledge shall be adopted according to the procedure laid down in Article 21.

▼M20

*Article 21b*

Amendments to be made to the content of the Annexes in order to establish the conditions to be satisfied by the crop and the seed of hybrids of oats, barley, rice, wheat, durum wheat, spelt wheat and other species for which hybrids are included in the scope of this Directive pursuant to Article 2 (1b) and the conditions to be satisfied by the crop and the seed of cross-pollinating varieties of triticale shall be adopted according to the procedure laid down in Article 21.

▼B

*Article 22*

Save as otherwise provided in ►M20 Annex II (3) ◄ in respect of tolerances for harmful organisms, this Directive shall be without prejudice to the provisions of national laws justified on grounds of the protection of health and life of humans, animals or plants or the protection of industrial and commercial property.

▼M28

*Article 22a*

1. Specific conditions may be established in accordance with the procedure laid down in Article 21 to take account of developments in the areas of:

(a) conditions under which chemically treated seed may be marketed;

([1]) OJ L 184, 17.7.1999, p. 23.

▼M28

(b) conditions under which seed may be marketed in relation to the conservation in situ and the sustainable use of plant genetic resources, including seed mixtures of species which also include species listed in Article 1 of Council Directive 70/457/EEC, and are associated with specific natural and semi-natural habitats and are threatened by genetic erosion;

(c) conditions under which seed suitable for organic production may be marketed.

2. The specific conditions referred to in paragraph 1 shall include in particular the following points:

(i) in the case of (b), the seed of these species shall be of a known provenance approved by the appropriate authority in each Member State for marketing the seed in defined areas;

(ii) in the case of (b), appropriate quantitative restrictions.

▼B

*Article 23*

The Member States shall, not later than 1 July 1968, bring into force the laws, regulations or administrative provisions necessary to comply with the provisions of Article 14 (1) and, not later than 1 July 1969, those necessary to comply with the other provisions of this Directive and its Annexes. They shall forthwith inform the Commission thereof.

▼M24

The Federal Republic of Germany is hereby authorized to comply, in respect of the territory of the former German Democratic Republic, with the following:

— Article 3 (1), in the case of:

  — seed harvested prior to German unification or after unification insofar as the seed production fields had been sown before that date,

  — other seed if it is certified in accordance with Article 2 (2) (c);

— Article 8 (2), in the case of the restriction to ‘small quantities’;

— Article 13 (1), in the case of seed of ‘*Hordeum vulgare* L.’;

— Article 16, within the limits of the traditional trade flows and in response to the production needs of undertakings in the former German Democratic Republic,

at a date later than referred to above, but not later than 31 December 1992 in respect of the first and fourth indents and not later than 31 December 1994 in respect of the second and third indents.

The Federal Republic of Germany shall ensure that seed in respect of which it applies this authorization, other than seed specified in the second sub-indent of the first indent, is not introduced into parts of the Community other than the territory of the former German Democratic Republic unless it is established that the provisions of this Directive are complied with.

▼**M20**

*Article 23a*

Upon application by a Member State, which will be dealt with as provided in Article 21, that State may be wholly or partially released from the obligation to apply the provisions of this Directive, with the exception of Article 14 (1):

(a) in respect of the following species:

— canary grass,

— sorghum,

— sudan grass;

(b) in respect of other species which are not normally reproduced or marketed in its territory.

▼**B**

*Article 24*

This Directive is addressed to the Member States.

▼M36

*ANNEX I*

**CONDITIONS TO BE SATISFIED BY THE CROP**

1. The previous cropping of the field shall not have been incompatible with the production of seeds of the species and variety of the crop, and the field shall be sufficiently free from such plants which are volunteers from previous cropping.

▼M41

2. The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination:

| Crop | Minimum distance |
|---|---|
| *Phalaris canariensis, Secale cereale* other than hybrids: | |
| — for the production of basic seed | 300 m |
| — for the production of certified seed | 250 m |
| *Sorghum* spp. | |
| — for the production of basic seed (*) | 400 m |
| — for the production of certified seed (*) | 200 m |
| | |
| *xTriticosecale*, self-pollinating varieties | |
| — for the production of basic seed | 50 m |
| — for the production of certified seed | 20 m |
| Zea mays | 200 m |

▼M43

(*) In the areas where the presence of ***S. halepense*** or ***S. bicolor*** subsp. ***drummondii*** is a particular cross-pollination issue, the following shall apply:
(a) crops to produce basic seed of ***Sorghum bicolor*** subsp. ***bicolor*** or its hybrids must be isolated not less than 800 m from any source of such contaminating pollen;
(b) crops to produce certified seed of ***Sorghum bicolor*** subsp. ***bicolor*** or its hybrids must be isolated not less than 400 m from any source of such contaminating pollen.

▼M41

The minimum distances listed in the table above may be disregarded if there is sufficient protection from any undesirable foreign pollination.

▼M36

3. The crop shall have sufficient varietal identity and varietal purity or, in the case of a crop of an inbred line, sufficient identity and purity as regards its characteristics. For the production of seed of hybrid varieties, the abovementioned provisions shall also apply to the characteristics of the components, including male sterility or fertility restoration

In particular, crops of *Oryza sativa, Phalaris canariensis, Secale cereale* other than hybrids, *Sorghum* spp. and *Zea mays* shall conform to the following other standards or conditions:

▼M42

A. ***Oryza sativa:***

The number of plants which are recognisable as obviously being wild or red-grain plants shall not exceed:

— 0 for the production of basic seed,

— 1 per 100 $m^2$ for the production of certified seed, first and second generation.

▼M36

B. ***Phalaris canariensis, Secale cereale*** **other than hybrids:**

The number of plant of the crop species, which are recognisable as obviously not being true to the variety shall not exceed:

— one per 30 $m^2$ for the production of basic seed,

— one per 10 $m^2$ for the production of certified seed,

C. ***Sorghum*** **spp.**

(a) The percentage by number of plants of a *Sorghum* species other than the crop species or plants which are recognisable as obviously not being true to the inbred line or to the component shall not exceed:

(aa) for the production of basic seed

(i) at flowering: 0,1 %;

(ii) at maturity: 0,1 %;

(bb) for the production of certified seed

(i) plants of the male component which have shed pollen when the plants of the female component have receptive stigmas: 0,1 %;

(ii) plants of the female component

— at flowering: 0,3 %;

— at maturity: 0,1 %;

(b) The following other standards or conditions shall be satisfied for the production of certified seed of hybrid varieties:

(aa) sufficient pollen shall be shed by the plants of the male component while the plants of the female component have receptive stigmas;

(bb) where plants of the female component have receptive stigmas, the percentage of plants of that component which have shed pollen or are shedding pollen shall not exceed 0,1 %;

(c) Crops of open pollinated varieties or synthetic varieties of *Sorghum* spp. shall conform to the following standards: the number of plants of the crop species, which are recognisable as obviously not being true to the variety shall not exceed:

— one per 30 $m^2$ for the production of basic seed,

— one per 10 $m^2$ for the production of certified seed,

▼**M36**

D. ***Zea mays***:

(a) The percentage by number of plants which are recognisable as obviously not being true to the variety, to the inbred line, or to the component shall not exceed:

(aa) for the production of basic seed:

(i) inbred lines, 0,1 %;

(ii) simple hybrid, each component, 0,1 %;

(iii) open-pollinated varieties, 0,5 %;

(bb) for the production of certified seed:

(i) hybrid varieties component:

— inbred lines, 0,2 %;

— simple hybrid, 0,2 %;

— open-pollinated variety, 1,0 %;

(ii) open-pollinated varieties, 1,0 %;

(b) The following other standards or conditions shall be satisfied for the production of seed of hybrid varieties:

(aa) a sufficient pollen shall be shed by the plants of the male component while the plants of the female component are in flower;

(bb) where appropriate, emasculation shall be carried out;

(cc) where 5 % or more of the female component plants have receptive stigmas, the percentage of female component which have shed pollen or are shedding pollen shall not exceed:

— 1 % at any official field inspection, and,

— 2 % at the total of the official field inspections,

Plants are considered as having shed pollen or shedding pollen where, on 50 mm or more of the central axis or laterals of a panicle, the anthers have emerged from their glumes and have shed or are shedding pollen.

4. Hybrids of *Secale cereale*

(a) The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination.

| Crop | Minimum distance |
|---|---|
| — for the production of basic seed, | |
| — where male sterility is used, | 1 000 m |
| — where male sterility is not used, | 600 m |
| — for the production of certified seed, | 500 m |

(b) The crop shall have sufficient identity and purity as regards the characteristics of the components, including male sterility.

▼M36

In particular, the crop shall conform to the following other standards or conditions:

(i) the number of plants of the crop species, which are recognisable as obviously not being true to the component shall not exceed,

— one per 30 $m^2$ for the production of basic seed,

— one per 10 $m^2$ for the production of certified seed, this standard to apply in official field inspections to the female component only;

(ii) in the case of basic seed, where male sterility is used, the level of sterility of the male-sterile component shall be at least 98 %.

(c) Where appropriate, certified seed shall be produced in mixed cultivation of a female male-sterile component with a male component which restores male fertility.

▼M43

5. ►M45 Crops to produce certified seed of hybrids of *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Oryza sativa* and self-pollinating *xTriticosecale* and crops to produce certified seed of hybrids of *Hordeum vulgare*, *Triticum aestivum* subsp. *aestivum*, *Triticum aestivum* subsp. *spelta, Triticum turgidum*subsp. *durum*, by means of a technique other than Cytoplasmic Male Sterility ('CMS') ◄

(a) The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination:

— the minimum distance of the female component shall be 25 m from any other variety of the same species except from a crop of the male component,

— this distance can be disregarded if there is sufficient protection from any undesirable foreign pollination;

(b) The crop shall have sufficient identity and purity as regards the characteristics of the components.

Where seed is produced by use of a chemical hybridisation agent, the crop shall conform to the following other standards or conditions:

(i) the minimum varietal purity of each component shall be:

— *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Hordeum vulgare*, *Oryza sativa*, *Triticum aestivum* subsp. *aestivum*, *Triticum turgidum* subsp. *durum* and *Triticum aestivum* subsp. *spelta*: 99,7 %,

— self-pollinating x*Triticosecale*: 99,0 %;

(ii) the minimum hybridity must be 95 %. The percentage hybridity shall be assessed in accordance with current international methods, in so far as such methods exist. In cases where the hybridity is determined during seed testing prior to certification, the determination of the hybridity during field inspection need not be done.

▼M39

5a. Crops to produce basic and certified seed of hybrids of *Hordeum vulgare* by means of the technique of CMS:

(a) The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination:

| Crop | Minimum distance |
|---|---|
| For the production of basic seed | 100 m |
| For the production of certified seed | 50 m |

(b) The crop shall have sufficient varietal identity and purity as regards the characteristics of the components.

In particular the crop shall conform to the following standards:

(i) The percentage by number of plants which are obviously not being true to type shall not exceed:

— for the crops used to produce basic seed, 0,1 % for the maintainer and the restorer line and 0,2 % for the CMS female component,

— for the crops used to produce certified seed, 0,3 % for the restorer and the CMS female component and 0,5 % in case the CMS female component is a single hybrid.

(ii) The level of male sterility of the female component shall be at least:

— 99,7 % for crops used to produce basic seed,

— 99,5 % for crops used to produce certified seed.

(iii) The requirements of points (i) and (ii) shall be examined in official post-control test.

(c) Certified seed may be produced in mixed cultivation of a female male-sterile component with a male component which restores fertility.

▼M45

5b. Crops to produce basic and certified seed of hybrids of *Triticum aestivum* subsp. *aestivum, Triticum aestivum* subsp. *spelta, Triticum turgidum* subsp. *durum* by means of CMS:

(a) The crop shall conform to the following standards as regards distances from neighboring sources of pollen, which may result in undesirable foreign pollination:

| Crop | Minimum distance |
|---|---|
| For the CMS female component for the production of basic seed | 300 m |
| For the production of certified seed | 25 m |

▼M45

(b) The crop shall have sufficient varietal identity and purity as regards the characteristics of the components.

In particular, the crop shall conform to the following standards:

(i) The percentage by number of plants, which are obviously not true to type, shall not exceed:

— for the crops used to produce basic seed, 0,1 % for the maintainer and the restorer line and 0,3 % for the CMS female component;

— for the crops used to produce certified seed, 0,3 % for the restorer and 0,6 % for the CMS female component and 1 % in case the CMS female component is a single hybrid.

(ii) The level of male sterility of the female component shall be at least:

— 99,7 % for crops used to produce basic seed;

— 99 % for crops used to produce certified seed.

(iii) The conformity with the requirements of points (i) and (ii) shall be examined by official post control test.

(c) Certified seed may be produced in mixed cultivation of a female male-sterile component with a male component, which restores fertility.

The responsible certification authority shall report by 28 February of each year to the Commission and the other Member States the results of the preceding year concerning the quantity of produced hybrid seeds, compliance of the field inspections with the respective requirements, the percentage of seed lots, which have been rejected due to insufficient quality parameters, and any further information justifying that rejection This reporting obligation shall be applicable until 28 February 2030.

▼M42

6. The crop shall be practically free from any pests which reduce the usefulness and quality of the seed.

The crop shall also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and regulated non-quarantine pests (‘RNQPs’) provided for in implementing acts adopted pursuant to Regulation (EU) 2016/2031 ([1]) as well as the measures adopted pursuant to Article 30(1) of that Regulation.

([1]) Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4).

▼M42

The presence of RNQPs on the crops shall comply with the following requirements as set out in the table:

**Fungi and oomycetes**

| RNQPs or symptoms caused by RNQPs | Plants for planting (genus or species) | Thresholds for the production of pre-basic seed | Thresholds for the production of basic seed | Thresholds for the production of certified seed |
|---|---|---|---|---|
| *Gibberella fujikuroi* Sawada [GIBBFU] | *Oryza sativa* L. | Not more than 2 symptomatic plants per 200 $m^2$ seen during field inspections at appropriate times of a representative sample of the plants in each crop. | Not more than 2 symptomatic plants per 200 $m^2$ seen during field inspections at appropriate times of a representative sample of the plants in each crop. | Certified seed of the first generation (C1):<br>Not more than 4 symptomatic plants per 200 $m^2$ seen during field inspections at appropriate times of a representative sample of the plants in each crop.<br>Certified seed of the second generation (C2):<br>Not more than 8 symptomatic plants per 200 $m^2$ seen during field inspections at appropriate times of a representative sample of the plants in each crop. |

**Nematodes**

| RNQPs or symptoms caused by RNQPs | Plants for planting (genus or species) | Thresholds for the production of pre-basic seed | Thresholds for the production of basic seed | Thresholds for the production of certified seed |
|---|---|---|---|---|
| *Aphelenchoides besseyi* Christie [APLOBE] | *Oryza sativa* L. | 0 % | 0 % | 0 % |

▼M36

7. The satisfaction of the abovementioned other standards or conditions shall, in the case of basic seed, be examined in official field inspections and, in the case of certified seed, be examined either in official field inspections or in inspections carried out under official supervision.

These field inspections shall be carried out in accordance with the following conditions:

A. The condition and the stage of development of the crop shall permit an adequate examination.

B. The number of field inspections shall be at least:

▼M43

(a) for *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Hordeum vulgare*, *Oryza sativa*, *Phalaris canariensis*, x*Triticosecale*, *Triticum aestivum* subsp. *aestivum*, *Triticum turgidum* subsp. *durum*, *Triticum aestivum* subsp. *spelta*, *Secale cereale*: one;

▼**M36**

(b) for *Sorghum* spp. and *Zea mays* during the flowering season:

(aa) open-pollinated varieties: one,

(bb) inbred lines or hybrids: three.

When the crop follows a *Sorghum* spp. and *Zea mays* crop in either the preceding year or current year, at least one special field inspection shall be made to check the satisfaction of the provisions laid down in point 1 of this Annex.

C. The size, the number and the distribution of the portions of the field to be inspected in order to examine the satisfaction of the provisions of this Annex shall be determined in accordance with appropriate methods.

▼**M44**

8. In the case where, following the implementation of points 3 and 7, there is still doubt as to the varietal identity of the seed, the certification authority may use, for the examination of that identity, an internationally recognised and reproducible biochemical or molecular technique, in accordance with the applicable international standards.

▼M36

*ANNEX II*

**CONDITIONS TO BE SATISFIED BY THE SEED**

1. The seed shall have sufficient varietal identity and varietal purity or, in the case of seed of an inbred line, sufficient identity and purity as regards its characteristics. For the seed of hybrid varieties, the abovementioned provisions shall also apply to the characteristics of the components.

In particular, the seed of the species listed below shall conform to the following other standards or conditions:

▼M43

A. ***Avena nuda, Avena sativa, Avena strigosa, Hordeum vulgare, Oryza sativa, Triticum aestivum*** **subsp.** ***aestivum, Triticum turgidum*** **subsp.** ***durum, Triticum aestivum*** **subsp.** ***spelta*** **other than hybrids in each case:**

| Category | Minimum varietal purity (%) |
|---|---|
| Basic seed | 99,9 |
| Certified seed, 1st generation | 99,7 |
| Certified seed, 2nd generation | 99,0 |

The minimum varietal purity shall be examined mainly in field inspections carried out in accordance with the conditions laid down in Annex I.

▼M36

B. **Self-pollinating varieties of** ***xTriticosecale*** **other than hybrids**

| Category | Minimum varietal purity (%) |
|---|---|
| Basic seed | 99,7 |
| Certified seed, 1st generation | 99,0 |
| Certified seed, 2nd generation | 98,0 |

The minimum varietal purity shall be examined mainly in field inspections carried out in accordance with the conditions laid down in Annex I.

▼M45

C. **Hybrids of** ***Avena nuda, Avena sativa, Avena strigosa, Hordeum vulgare, Oryza sativa, Triticum aestivum*** **subsp.** ***aestivum, Triticum aestivum*** **subsp.** ***spelta, Triticum turgidum*** **subsp.** ***durum*** **and self-pollinating** ***xTriticosecale***

The minimum varietal purity of the seed of the category certified seed shall be 90 %.

In case of *Hordeum vulgare, Triticum aestivum* subsp. *aestivum, Triticum aestivum* subsp. *spelta, Triticum turgidum* subsp. *durum* produced by means of CMS, it shall be 85 %. Impurities other than the restorer shall not exceed 2 %.

▼M45

The minimum varietal purity shall be examined in official post control test on an appropriate proportion of samples.

The responsible certification authority shall report by 28 February of each year to the Commission and the other Member States the results of the preceding year concerning the quantity of produced hybrid seeds of *Triticum aestivum* subsp. *aestivum*, *Triticum aestivum* subsp. *spelta* and *Triticum turgidum* subsp. *durum*, and the percentage of seed lots which have been rejected due to insufficient quality parameters, results of the post-control testand any further information justifying that rejection. This reporting obligation shall be applicable until 28 February 2030.

▼M36

D. ***Sorghum* spp. and *Zea mays*:**

Where for the production of certified seed of hybrid varieties a female male-sterile component and a male component which does not restore male fertility have been used, the seed shall be produced:

— either by blending seed lots in a proportion appropriate to the variety where, on the one hand, a female male-sterile component has been used and, on the other, a female male-fertile component has been used,

— or by growing the female male-sterile component and the female male-fertile component in a proportion appropriate to the variety. The proportion of these components shall be examined in field inspections carried out in accordance with the conditions laid down in Annex I.

▼M45

E. **Hybrids of *Secale cereale* and CMS-hybrids of *Hordeum vulgare, Triticum aestivum* subsp. *aestivum, Triticum aestivum* subsp. *spelta, Triticum turgidum* subsp. *durum***

▼M36

Seed shall not be certified as certified seed unless due account has been taken of the results of an official post-control test, on samples of basic seed taken officially and carried out during the growing season of the seed entered for certification as certified seed to ascertain whether the basic seed met the requirements for basic seed laid down in this Directive in respect of identity and purity as regards the characteristics of the components, including male sterility.

2. The seed shall conform to the following other standards or conditions as regards germination, analytical purity and content of seeds of other plants species::

▼M36

A. Table:

| Species and category | Minimum germination (% of pure seed) | Minimum analytical purity (% by weight) | Maximum content by number of seeds of other plant species including red seeds of *Oryza sativa* in a sample of the weight specified in column 4 of Annex III (total per column) | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | Other plant species (a) | Red seeds of *Oryza sativa* | Other cereal species | Plant species other than cereals | *Avena fatua, Avena sterilis, Lolium temulentum* | *Raphanus raphanistrum, Agrostemma githago* | *Panicum* spp. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| ►M43 *Avena sativa*, *Avena strigosa*, *Hordeum vulgare*, *Triticum aestivum* subsp. *aestivum*, *Triticum turgidum* subsp. *durum*, *Triticum aestivum* subsp. *spelta*: ◄ | | | | | | | | | |
| — basic seed, | 85 | 99 | 4 | | 1 (b) | 3 | 0 (c) | 1 | |
| — certified seed, 1st and 2nd generation, | 85 (d) | 98 | 10 | | 7 | 7 | 0 (c) | 3 | |
| *Avena nuda:* | | | | | | | | | |
| — basic seed, | 75 | 99 | 4 | | 1 (b) | 3 | 0 (c) | 1 | |
| — certified seed, 1st and 2nd generation, | 75 (d) | 98 | 10 | | 7 | 7 | 0 (c) | 3 | |
| *Oryza sativa*: | | | | | | | | | |
| — basic seed, | 80 | 98 | 4 | 1 | | | | | 1 |
| — certified seed, 1st generation, | 80 | 98 | 10 | 3 | | | | | 3 |
| — certified seed, 2nd generation, | 80 | 98 | 15 | 5 | | | | | 3 |
| *Secale cereale:* | | | | | | | | | |
| — basic seed, | 85 | 98 | 4 | | 1 (b) | 3 | 0 (c) | 1 | |
| — certified seed, | 85 | 98 | 10 | | 7 | 7 | 0 (c) | 3 | |

▼M36

| Species and category | Minimum germination (% of pure seed) | Minimum analytical purity (% by weight) | Maximum content by number of seeds of other plant species including red seeds of *Oryza sativa* in a sample of the weight specified in column 4 of Annex III (total per column) | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | Other plant species (a) | Red seeds of *Oryza sativa* | Other cereal species | Plant species other than cereals | *Avena fatua, Avena sterilis, Lolium temulentum* | *Raphanus raphanistrum, Agrostemma githago* | *Panicum* spp. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| *Phalaris canariensis*: | | | | | | | | | |
| — basic seed, | 75 | 98 | 4 | | 1 (b) | | 0 (c) | | |
| — certified seed, | 75 | 98 | 10 | | 5 | | 0 (c) | | |
| *Sorghum* spp. | 80 | 98 | 0 | | | | | | |
| *xTriticosecale:* | | | | | | | | | |
| — basic seed, | 80 | 98 | 4 | | 1 (b) | 3 | 0 (c) | 1 | |
| — certified seed, 1st and 2nd generation, | 80 | 98 | 10 | | 7 | 7 | 0 (c) | 3 | |
| *Zea mays* | 90 | 98 | 0 | | | | | | |

▼M36

B. Other standards or conditions applicable where reference is made to them in the table under Section 2 (A) of this Annex:

(a) the maximum contents of seeds laid down in column 4 include also the seeds of the species in columns 5 to 10;

(b) a second seed shall not be regarded as an impurity if a second sample of same weight is free from any seeds of other cereals species;

(c) the presence of one seed of *Avena fatua, Avena sterilis* or *Lolium temulentum* in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of the same weight is free from any seeds of these species;

(d) in the case of varieties of *Hordeum vulgare* (naked barley) the required minimum germination capacity is reduced to 75 % of pure seed. The official label shall include the words 'Minimum germination capacity 75 %'.

▼M42

3. The seed shall be practically free from any pests which reduce the usefulness and quality of the seed.

The seed shall also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to Regulation (EU) 2016/2031, as well as the measures adopted pursuant to Article 30(1) of that Regulation.

The presence of RNQPs on the seeds and the respective categories shall comply with the following requirements as set out in the table:

| **Nematodes** | | | | |
|---|---|---|---|---|
| RNQPs or symptoms caused by RNQPs | Plants for planting (genus or species) | Thresholds for pre-basic seed | Thresholds for basic seed | Thresholds for certified seed |
| *Aphelenchoides besseyi* Christie [APLOBE] | *Oryza sativa* L. | 0 % | 0 % | 0 % |
| **Fungi** | | | | |
| *Gibberella fujikuroi Sawada [GIBBFU]* | *Oryza sativa* L. | Practically free | Practically free | Practically free |

4. The presence of fungus bodies on the seeds and the respective categories shall comply with the following requirements as set out in the table:

| Category | Maximum number of fungus bodies, such as sclerotia, or ergots, in a sample of the weight specified in column 3 of Annex III |
|---|---|
| Cereals other than hybrids of *Secale cereale*: | |
| — Basic seed | 1 |
| — Certified seed | 3 |
| Hybrids of *Secale cereale*: | |
| — Basic seed | 1 |
| — Certified seed | 4 (*) |

(*) The presence of five fungus bodies such as sclerotia or fragments of sclerotia, or ergots in a sample of the prescribed weight shall be deemed to be in conformity with the standards, where a second sample of the same weight contains no more than four fungus bodies.

▼M36

*ANNEX III*

**LOT AND SAMPLE WEIGHTS**

| Species | Maximum weight of a lot (tonnes) | Minimum weight of a sample to be drawn from a lot (grams) | Weight of the sample for determinations by number provided for in columns 4 to 10 of Annex II (2) (A) and Annex II (3) (grams) |
|---|---|---|---|
| 1 | 2 | 3 | 4 |
| ►M46 *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Hordeum vulgare*, *Triticum aestivum* subsp. *aestivum*, *Triticum turgidum* subsp. *durum*, *Triticum aestivum* subsp. *spelta, Secale cereale, xTriticosecale* ◄ | 30 | 1 000 | 500 |
| *Phalaris canariensis* | 10 | 400 | 200 |
| *Oryza sativa* | 30 | 500 | 500 |
| ▼M38 | | | |
| ►M43 *Sorghum bicolor* (L.) Moench subsp. *bicolor* ◄ | 30 | 900 | 900 |
| ►M43 *Sorghum bicolor* (L.) Moench subsp. *drummondii* (Steud.) de Wet ex Davidse ◄ | 10 | 250 | 250 |
| ►M43 Hybrids of *Sorghum bicolor* (L.) Moench subsp. *bicolor* x *Sorghum bicolor* (L.) Moench subsp. *drummondii* (Steud.) de Wet ex Davidse ◄ | 30 | 300 | 300 |
| ▼M36 | | | |
| *Zea mays*, basic seed of inbred lines | 40 | 250 | 250 |
| *Zea mays*, basic seed other than of inbred lines; certified seed | 40 | 1 000 | 1 000 |

The maximum lot weight shall not be exceeded by more than 5 %.

▼B

*ANNEX IV*

**Label**

A. *Required information*

(a) For basic seed and certified seed:

▼M1

1. ►M27 EC ◄ rules and standards.

2. Certification authority and Member State or their initials.

▼M40

2a. Officially assigned serial number.

▼B

3. Reference number of lot.

▼M9

3a. Month and year of sealing expressed thus: 'sealed …' (month and year),

or

month and year of the last official sampling for the purposes of certification expressed thus: 'sampled …' (month and year).

▼B

4. Species, ►M20 indicated at least under its botanical name, which may be given in abridged form and without the authorities' names, in roman characters ◄.

5. ►M20 Variety, indicated at least in roman characters ◄.

6. Category.

7. Country of production.

▼M4

8. Declared net or gross weight or declared number of ►C4 seeds ◄.

▼M6

8a. Where weight is indicated and granulated pesticides, pelleting substances, or other solid additives are used the nature of the additive and also the approximate ratio between the weight of pure seeds and the total weight.

▼M20

9. In the case of varieties which are hybrids or inbred lines:

— for basic seed where the hybrid or inbred line to which the seed belongs has been officially accepted under Directive 70/457/EEC:

the name of this component, under which it has been officially accepted, with or without reference to the final variety, accompanied, in the case of hybrids or inbred lines which are intended solely as components for final varieties, by the word 'component';

— for basic seed in other cases:

the name of the component to which the basic seed belongs, which may be given in code form, accompanied by a reference to the final variety, with or without reference to its function (male or female), and accompanied by the word 'component';

— for certified seed:

the name of the variety to which the seed belongs, accompanied by the word 'hybrid'.

▼M7

10. Where at least germination has been retested, the words ‘retested … (month and year)’ and the service responsible for such retesting may be indicated. Such information may be given on an official sticker attached to the official label.

▼M20

In accordance with the procedure laid down in Article 21, Member States may be released from the requirement to indicate the botanical name in respect of individual species and, where appropriate, for limited periods where it has been established that the disadvantages of its implementation outweigh the advantages expected for the marketing of seed.

▼C1

(b) For seed mixtures:

▼B

►C1 1. ‘Mixture …’ ◄ (species) ►M20 or varieties ◄.

2. Authority responsible for sealing and Member State.

▼M40

2a. Officially assigned serial number.

▼B

3. Reference number of lot.

▼M9

3a. Month and year of sealing expressed thus: ‘sealed …’ (year and month).

▼B

4. Species, category, variety, country of production and proportion by weight of each of the components; ►M20 the names of the species and of the varieties shall be indicted at least in roman characters ◄.

▼M4

5. Declared net or gross weight or declared number of ►C4 seeds ◄.

▼M6

6. Where weight is indicated and granulated pesticides, pelleting substances, or other solid additives are used the nature of the additive and also the approximate ratio between the weight of pure seeds and the total weight.

▼M7

7. Where at least germination of all the components of the mixture has been retested, the words ‘retested … (month and year)’ and the service responsible for such retesting may be indicated. Such information may be given on an official sticker attached to the official label.

▼M12

8. ‘Marketing permitted exclusively in …’ (Member State concerned).

▼B

B. *Minimum dimensions*

110 mm × 67 mm.

▼M20

*ANNEX V*

**Label and document provided in the case of seed not finally certified, harvested in another Member State**

A. *Information required for the label*

— authority responsible for field inspection and Member State or their initials,

▼M40

— officially assigned serial number,

▼M20

— species, indicated at least under its botanical name, which may be given in abridged form and without the authorities' names, in roman characters,

— variety, indicated at least in roman characters; in the case of varieties (inbred lines, hybrids), which are intended solely as components for hybrid varieties, the word ‘component’ shall be added,

— category,

— in the case of hybrid varieties the word ‘hybrid’,

— declared net or gross weight,

— the words ‘seed not finally certified’.

In accordance with the procedure laid down in Article 21, Member States may be released from the requirement to indicate the botanical name in respect of individual species and, where appropriate, for limited periods where it has been established that the disadvantages of its implementation outweigh the advantages expected for the marketing of seed.

B. *Colour of the label*

The label shall be grey.

C. *Information required for the document*

— authority issuing the document,

▼M40

— officially assigned serial number,

▼M20

— species, indicated at least under its botanical name, which may be given in abridged form and without the authorities' names, in roman characters,

— variety, indicated at least in roman characters,

— category,

— reference number of the seed used to sow the field and name of the country or countries which certified that seed,

— field or lot reference number,

— area cultivated for the production of the lot covered by the document,

— quantity of seed harveted and number of packages,

— number of generations after basic seed, in the case of certified seed,

— attestation that the conditions to be satisfied by the crop from which the seed comes have been fulfilled,

— where appropriate, results of a preliminary seed analysis.