

Article 27

The provisions necessary for implementing this Regulation shall be adopted in accordance with the procedure laid down in Article 26 (2) and (3) of Directive 79/695/EEC.

Article 28

Directive 68/312/EEC is hereby repealed.

References to that Directive shall be construed as references to this Regulation.

Article 29

This Regulation shall enter into force on 1 March 1987.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Proposal for a Council Directive amending Directives 66/440/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC, 70/458/EEC and 70/457/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and on the Common Catalogue of Varieties of Agricultural Plant Species

COM (85) 782

(85/C 356/09)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, for the reasons given below, the following Directives on the marketing of seeds and propagating material should be amended:

- Council Directive 66/400/EEC of 14 June 1966 on the marketing of beet seed⁽¹⁾, as last amended by Directive 78/692/EEC⁽²⁾ and by the Act of Accession of Greece,
- Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽³⁾, as last amended by Commission Directive 85/38/EEC⁽⁴⁾,
- Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽⁵⁾, as last amended by Directive 81/561/EEC⁽⁶⁾,
- Council Directive 66/403/EEC of 14 June 1966 on the marketing of seed potatoes⁽⁷⁾, as last amended by Directive 84/218/EEC⁽⁸⁾,
- Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽⁹⁾, as last amended by Commission Directive 82/859/EEC⁽¹⁰⁾,

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2290/66.

⁽²⁾ OJ No L 236, 26. 8. 1978, p. 13.

⁽³⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽⁴⁾ OJ No L 16, 19. 1. 1985, p. 41.

⁽⁵⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽⁶⁾ OJ No L 203, 23. 7. 1981, p. 52.

⁽⁷⁾ OJ No 125, 11. 7. 1966, p. 2320/66.

⁽⁸⁾ OJ No L 104, 17. 4. 1984, p. 19.

⁽⁹⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽¹⁰⁾ OJ No L 357, 18. 12. 1982, p. 31.

- Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Directive 80/1141/EEC⁽²⁾,
- Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed⁽³⁾, as last amended by Directive 80/1141/EEC;

Whereas, owing to their increased importance in the Community, rescue grass, Alaska brome-grass, California bluebell, triticale, chinese cabbage and industrial chicory should be included in the scope of the Directives; whereas, for the same reason, hybrid varieties of certain additional cereal species and sunflower should also be included in the scope of the Directives; whereas the conditions to be satisfied by the crop and by the seed of those species and variety types should be in conformity with the schemes for seed moving in international trade laid down by the Organization for Economic Cooperation and Development (OECD), except for cross-pollinating varieties of triticale and hybrid varieties of certain additional cereal species, where the OECD has not yet adopted such conditions;

Whereas it seems advisable, on the one hand, to revise certain provisions in order to facilitate the reproduction of seed in Member States other than that of origin and, on the other hand, to provide for Community measures to ensure the identity of that seed marketed as grown for processing;

Whereas it seems advisable that additional periods should be granted to Member States to allow seed of self-pollinating cereal species which has not been the subject of an official field inspection to be certified officially under certain conditions and to permit the marketing of specific varieties of rye not satisfying certain conditions laid down in Annex II to Directive 66/402/EEC, in order that the necessary experience for a more general and definitive solution may be acquired;

Whereas it seems advisable that, for the purpose of seeking improved alternatives to certain elements of the certification schemes adopted under the Directives, temporary experiments under specific conditions should be organized; whereas, therefore, a legal basis to that effect should be introduced;

Whereas the provisions on the information required for the official label in respect of species and variety names should be improved with the aim of providing better information for seed users;

Whereas it should be ensured that the supplier's labels required under national provisions are drawn up in such a way that they cannot be confused with the official labels;

Whereas, in the case of Directive 70/458/EEC, certain provisions on varieties of vegetable plant species should be adapted in such a manner as to permit current developments to be taken into account in the process of renewal of the official acceptance of certain varieties;

Whereas the conditions in respect of the value of a variety for cultivation or use should not be required for the acceptance of varieties (inbred lines, hybrids) which are intended solely as components for hybrid varieties;

Whereas it should, however, be possible to require those conditions for specific vegetable species or for varieties of vegetable intended for specific purposes; and whereas it should also be possible to require the examination of suitability for specific purposes of varieties of grasses not intended for the production of fodder plants;

Whereas applications by Greece to be authorized to prohibit the marketing in all or part of her territory of seed or propagating material of certain varieties listed in the Common Catalogue of Varieties of Agricultural Plant Species or the Common Catalogue of Varieties of Vegetable Species should be taken into consideration in order to permit her to complete the adaptation of her seed and propagating material production and marketing to the Community requirements relating to the common catalogues;

Whereas it is useful to clarify certain provisions of the abovementioned Directives,

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 341, 16. 12. 1980, p. 27.

⁽³⁾ OJ No L 225, 12. 10. 1970, p. 7.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 66/400/EEC is hereby amended as follows:

1. In Article 2 (1) (E), the letters '(bb)' are replaced by '(aa) (a) and (bb)'.
2. The following paragraph is inserted in Article 2:
'1a. 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.'
3. Former Article 12 becomes Article 12(1).
4. The following paragraph is inserted in Article 12:
'2. The label referred to in paragraph 1 shall be drawn up in such a manner that it cannot be confused with the official label referred to in Article 11(1).'
5. The following Article is inserted after Article 13:

'Article 13a

For the purpose of seeking improved alternatives to certain elements of the certification scheme adopted under this Directive, temporary experiments under specified conditions may be organized in accordance with the procedure laid down in Article 21.

In the framework of such experiments, Member States may be released from certain obligations set up under 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.'

6. In Article 14 (2) (c), the letters '(bb)' are replaced by '(aa) (a) and (bb)'.
7. The fifth and sixth indents of Article 14 (3) (c) are replaced by the following:
'— species, indicated at least under its botanical name (genus and species) in Roman characters,
— variety, indicated at least in Roman characters.'
8. Article 15 is replaced by the following:

'Article 15

1. The Member States shall provide that beet seed
 - which has been produced directly from seed officially certified in one Member State, and
 - which has been harvested in another Member State or in a third country,

may be certified in any Member State if that seed has undergone field inspection satisfying the conditions laid down in Annex I(A) for the relevant category, and if official examination has shown that the conditions laid down in Annex I(B) for the same category are satisfied.

2. Beet seed which has been harvested in another Member State, and which is intended for certification in accordance with the provisions laid down in paragraph 1, shall be packed in officially sealed packages bearing an official label and accompanied by a document satisfying the conditions laid down in Annex IV.'

9. Annex III (A) (I) (4) is replaced by the following:
 - ‘4. Species, indicated at least under its botanical name (genus and species) in Roman characters; indication whether sugar beet or fodder beet.’
10. The following is added to Annex III (A) (I) (5):

‘indicated at least in Roman characters.’
11. Annex III (B) (6) is replaced by the following:
 - ‘6. Species, indicated at least under its botanical name in Roman characters; indication whether sugar beet or fodder beet.’
12. The following is added to Annex III (B) (7):

‘indicated at least in Roman characters.’
13. The following Annex is added:

Annex IV

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,
- species, indicated at least under its botanical name (genus and species) in Roman characters; indication whether sugar beet or fodder beet,
- variety, indicated at least in Roman characters,
- category,
- field or lot reference number,
- declared net or gross weight,
- the words “seed not finally certified”.

B. Colour of the label

The label shall be grey.

C. Information required for the document:

- authority issuing the document,
- species, indicated at least under its botanical name (genus and species) in Roman characters; indication whether sugar beet or fodder beet,
- variety, indicated at least in Roman characters,
- category,
- reference number of the seed used to sow the field and name of the Member State which certified that seed,
- field or lot reference number,
- area cultivated,
- quantity of seed harvested and number of packages,
- 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.’

Article 2

Directive 66/401/EEC is hereby amended as follows:

1. In Article 2 (1) (A) (a) the words

<i>'Bromus catharticus</i> Vahl	Rescue grass
<i>Bromus sitchensis</i> Trin.	Alaska brome-grass'
are inserted after the words	
<i>'Arrhenatherum elatius</i> (L.)	Tall oatgrass'
and in Article 2 (1) (A) (c) the words	
<i>'Phacelia tanacetifolia</i> Benth.	California bluebell'
are inserted after the words	
<i>'Brassica oleracea</i> L. convar. <i>acephala</i> (DC)	Fødder kale'.

2. In Article 2(1a) of the English version the word 'descriptions' is replaced by 'names'.

3. Former Article 2(1b) and (1c) become 2(1c) and (1d).

4. The following paragraph is inserted in Article 2:

'1b. 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.'

5. Former Article 11 becomes Article 11(1).

6. The following paragraph is added to Article 11:

'2. The label referred to in paragraph 1 shall be drawn up in such a manner that it cannot be confused with the official label referred to in Article 10(1).'

7. The following Article is inserted after Article 13:

'Article 13a

For the purpose of seeking improved alternatives to certain elements of the certification scheme adopted under this Directive, temporary experiments under specified conditions may be organized in accordance with the procedure laid down in Article 21.

In the framework of such experiments, Member States may be released from certain obligations set up under 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.'

8. The fifth and sixth indents of Article 14 (3) (c) are replaced by the following:

'— species, indicated at least under its botanical name (genus and species) in Roman characters,
— variety, indicated at least in Roman characters,'.

9. Article 15 is replaced by the following:

'Article 15

1. The Member States shall provide that fodder plant seed

— which has been produced directly from seed officially certified in one Member State, and

— which has been harvested in another Member State or in a third country,

may be certified 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.

2. Fodder plant seed which has been harvested in another Member State, and which is intended for certification in accordance with the provisions laid down in paragraph 1, shall be packed in officially sealed packages bearing an official label and accompanied by a document satisfying the conditions laid down in Annex V.'

10. In Annex I (2) in the first column of the table the words '*Phacelia tanacetifolia*' are inserted each time after the words '*Brassica* spp.'
11. In the second sentence of the French version of Annex I (3) the words 'la variété' are replaced by 'l'espèce'.
12. In the heading of column 4 of the French version of Annex II (I) (2) (A) the word 'animale' is replaced by 'minimale'.
13. In Annex II (I) (2) (A) the following is inserted after the lines of *Arrhenatherum elatius* and *Brassica oleracea* convar. *acephala* respectively:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
' <i>Bromus catharticus</i>	80(a)		97	1.5	1.0	0.5	0.3				0(g)	0(j) (k)	10(n)	
<i>Bromus sitchensis</i>	80(a)		97	1.5	1.0	0.5	0.3				0(g)	0(j) (k)	10(n)	
and														
' <i>Phacelia tanacetifolia</i>	80(a)		96	1.0	0.5						0	0(j) (k)		

14. In Annex II (II) (2) (A) the following is inserted after the lines of *Arrhenatherum elatius* and *Brassica oleracea* convar. *acephala* respectively:

1	2	3	4	5	6	7	8
' <i>Bromus catharticus</i>	0.4	20	5	5	5		(j)
<i>Bromus sitchensis</i>	0.4	20	5	5	5		(j)'
and							
' <i>Phacelia tanacetifolia</i>	0.3	20'					

15. In Annex III the following is inserted after the lines of *Arrhenatherum elatius* and *Brassica oleracea* convar. *acephala* respectively:

1	2	3	4
' <i>Bromus catharticus</i>	10	200	200
<i>Bromus sitchensis</i>	10	200	200'
and			
' <i>Phacelia tanacetifolia</i>	10	300	40'

16. The following is added to Annex IV (A) (I) (a) (4):
'indicated at least under its botanical name (genus and species) in Roman characters,'.
17. The following is added to Annex IV (A) (I) (a) (5):
'indicated at least in Roman characters,'.
18. The following is added to Annex IV (A) (I) (b) (5):
'indicated at least under its botanical name (genus and species) in Roman characters,'.
19. The following is added to Annex IV (A) (I) (c) (4) after the words 'shown by species and, where appropriate, by variety': 'both indicated at least in Roman characters'.
20. In the last sentence of the Italian version of Annex IV (A) (I) (c) (4) the words 'al fornitore' are replaced by 'all'acquirente'.

21. The following is added to Annex IV (B) (a) (6):
'indicated at least under its botanical name (genus and species) in Roman characters,'.
22. The following is added to Annex IV (B) (a) (7):
'indicated at least in Roman characters,'.
23. The following is added to Annex IV (B) (b) (6):
'indicated at least under its botanical name (genus and species) in Roman characters,'.
24. The following is added to Annex IV (B) (c) (11) after the words 'shown by species and, where appropriate, by variety': 'both indicated at least in Roman characters'.
25. The following Annex is added:

'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,
- species, indicated at least under its botanical name (genus and species) in Roman characters,
- variety, indicated at least in Roman characters,
- category,
- field or lot reference number,
- declared net or gross weight,
- the words "seed not finally certified".

B. Colour of the label

The label shall be grey.

C. Information required for the document:

- authority issuing the document,
- species indicated at least under its botanical name (genus and species) 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 Member State which certified that seed,
- field or lot reference number,
- area cultivated,
- quantity of seed harvested 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.'

Article 3

Directive 66/402/EEC is hereby amended as follows:

1. In Article 2(1)(A) the words

‘X <i>Triticosecale</i> Wittm. are inserted after the words <i>Secale cereale</i> L.	Triticale’ Rye’.
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2. Article 2(1)(B) is deleted.
3. Former Article 2(1)(C) shall become 2(1)(B) and its introductory words are replaced by:
‘B. Basic seed (oats, barley, rice, rye, wheat, durum wheat and spelt wheat, other than hybrids in each case, canary grass and triticale): seed’.
4. The following is added to Article 2(1):
‘C. Basic seed (hybrids of oats, barley, rice, rye, wheat, durum wheat and spelt wheat):
(a) which is intended for the production of simple hybrids;
(b) which, subject to the provisions of Article 4, satisfies the conditions laid down in Annexes I and II for basic seed; and
(c) which has been found by official examination to satisfy the abovementioned conditions.’
5. In Article 2(1)(E) the introductory words are replaced by the following:
‘E. Certified seed (rye, canary grass, maize and hybrids of oats, barley, rice, wheat, durum wheat and spelt wheat): seed’.
6. In Article 2(1)(F) the introductory words are replaced by the following:
‘F. Certified seed of the first generation (oats, barley, rice, wheat durum wheat and spelt wheat, other than hybrids in each case, and triticale): seed’.
7. In Article 2(1)(G) the introductory words are replaced by the following:
‘G. Certified seed of the second generation (oats, barley, rice, wheat durum wheat and spelt wheat, other than hybrids in each case, and triticale): seed’.
8. In Article 2(1a) of the English version the word ‘descriptions’ is replaced by ‘names’.
9. In Article 2(1c) the date ‘30 June 1982’ is replaced by ‘30 June 1986’ and the second indent is deleted.
10. In Article 2(2)(d) the date ‘31 December 1982’ is replaced by ‘31 December 1986’.
11. Former Article 11 becomes Article 11(1).
12. The following paragraph is added to Article 11:

‘2. The label referred to in paragraph 1 shall be drawn up in such a manner that it cannot be confused with the official label referred to in Article 10(1).’
13. The following Article is inserted after Article 13:

‘Article 13a
For the purpose of seeking improved alternatives to certain elements of the certification scheme adopted under this Directive, temporary experiments under specified conditions may be organized in accordance with the procedure laid down in Article 21.’

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

23. In Annex II(2)(A) the following is inserted after the line of *Secale cereale*:

1	2	3	4	5	6	7	8	9
Triticale								
— basic seed	85	98	4		1(b)	3	0(c)	1
— certified seed, first and second generation	85	98	10		7	7	0(c)	3

24. In Annex III the word, '*Triticosecale*' is inserted after the words '*Secale cereale*'.
25. The following is added to Annex IV(A)(a)(4):
'indicated at least under its botanical name (genus and species) in Roman characters'.
26. In Annex IV(A)(a)(5) the following is added after the word 'variety':
' , indicated at least in Roman characters'.
27. The following is added to Annex IV(A)(B)(4):
' ; the names of the species and of the varieties shall be indicated at least in Roman characters'.
28. The following Annex is added:

'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,
- species, indicated at least under its botanical name (genus and species) 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",
- field or lot reference number,
- declared net or gross weight,
- the words "seed not finally certified".

B. Colour of the label

The label shall be grey.

C. Information required for the document:

- authority issuing the document,
- species, indicated at least under its botanical name (genus and species) 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 Member State which certified that seed,

- field or lot reference number,
- area cultivated,
- quantity of seed harvested 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.'

Article 4

Directive 66/403/EEC is hereby amended as follows:

1. Former Article 11 becomes Article 11(1).
2. The following paragraph is added to Article 11:
'2. The label referred to in paragraph 1 shall be drawn up in such a manner that it cannot be confused with the official label referred to in Article 10(1).'
3. The fourth and fifth indents of Article 13(4)(c) are replaced by the following:
'— species, indicated at least under its botanical name (genus and species) in Roman characters,
— variety, indicated at least in Roman characters.'
4. The following is added to Annex III(A)(4):
' , indicated at least in Roman characters'.

Article 5

Directive 69/208/EEC is hereby amended as follows:

1. In Article 2(1)(B) the words '(varieties other than hybrids of sunflower)' are inserted after the words 'Basic seed'.
2. The following is inserted after Article 2(1)(b):
'Ba. Basic seed (hybrids of sunflower):
 1. 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
 - (b) which has been found by official examination to satisfy the abovementioned conditions.
 2. Basic seed of simple hybrids: seed,
 - (a) which is intended for the production of three-way-cross hybrids or double-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
 - (c) which has been found by official examination to satisfy the abovementioned conditions.'
 3. In Article 2(1a) of the English version the word 'descriptions' is replaced by 'names'.
 4. Former Article 2(1b) becomes 2(1c).
 5. The following paragraph is inserted in Article 2:
'1b. 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 20.'

6. In Article 2(2)(b) of the English version the words 'or linseed' are inserted after the word 'flax'.
7. Former Article 11 becomes Article 11(1).
8. The following paragraph is added to Article 11:
'2. The label referred to in paragraph 1 shall be drawn up in such a manner that it cannot be confused with the official label referred to in Article 10(1).'
9. The following Article is inserted after Article 12:

'Article 12a

For the purpose of seeking improved alternatives to certain elements of the certification scheme adopted under this Directive, temporary experiments under specified conditions may be organized in accordance with the procedure laid down in Article 21.

In the framework of such experiments, Member States may be released from certain obligations set up under 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.'

10. The fifth and sixth indents of Article 13(3)(c) are replaced by the following:
'— species, indicated at least under its botanical name (genus and species) in Roman characters,
— variety, indicated at least in Roman characters,'
11. Article 14 is replaced by the following:

'Article 14

1. The Member States shall provide that seed of oil and fibre plants
— which has been produced directly from seed certified officially in one Member State, and
— which has been harvested in another Member State or in a third country,
may be certified 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.
2. Seed of oil and fibre plants which has been harvested in another Member State, and which is intended for certification in accordance with the provisions laid down in paragraph 1, shall be packed in officially sealed packages bearing an official label and accompanied by a document satisfying the conditions laid down in Annex V.'

12. In the first paragraph of the table in Annex I(2) the words '*Helianthus annuus*' are deleted.
13. In the table in Annex I(2) the following is added:

1	2
<i>'Helianthus annuus</i>	
— for the production of basic seed of hybrids	1 500 m
— for the production of basic seed of varieties other than hybrids	750 m
— for the production of certified seed	500 m'.

14. Annex I(3) is replaced by the following:
'3. The crop shall have sufficient varietal identity and varietal purity or, in the case of a crop of an inbred line of *Helianthus annuus*, sufficient identity and purity as regards its characteristics.'

For the production of seed of hybrid varieties of *Helianthus annuus*, the abovementioned provisions shall also apply to the characteristics of the components, including male sterility or fertility restoration.

In particular, crops of *Brassica juncea*, *Brassica nigra*, *Cannabis sativa*, *Carum carvi*, *Gossypium* spp. and hybrids of *Helianthus annuus* shall conform to the following standards or other conditions:

A. *Brassica juncea*, *Brassica nigra*, *Cannabis sativa*, *Carum carvi* and *Gossypium* spp.:

The number of plants of the crop species which are recognizable as obviously not being true to the variety shall not exceed:

- one per 30 m² for the production of basic seed,
- one per 10 m² for the production of certified seed.

B. Hybrids of *Helianthus annuus*:

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

- (aa) for the production of basic seed:
- (i) inbred lines 0,2
 - (ii) simple hybrids:
 - male parent, plants which have shed pollen while 2 % or more of the female plants have receptive flowers 0,2
 - female parent 0,5
 - (bb) for the production of certified seed:
 - male component, plants which have shed pollen while 5 % or more of the female plants have receptive flowers 0,5
 - female component 1,0

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

- (aa) sufficient pollen shall be shed by the plants of the male component while the plants of the female component are in flower;
- (bb) where the female component plants have receptive stigmas, the percentage by number of female component plants which have shed pollen or are shedding pollen shall not exceed 0,5;
- (cc) for the production of basic seed the total percentage by number of plants of the female component which are recognizable as obviously not being true to the component and which have shed pollen or are shedding pollen shall not exceed 0,5;
- (dd) where the condition laid down in Annex II(I)(1a) cannot be satisfied, the following condition shall be satisfied: a male sterile component shall be used to produce certified seed by using a male component which contains a specific restorer line or lines so that at least one-third of the plants grown from the resulting hybrid will produce pollen which appears normal in all respects.'

15. Annex I(5)(B) is replaced by the following:

'B. In cases other than crops of hybrids of sunflower there shall be at least one field inspection. In the case of hybrids of sunflower there shall be at least two field inspections.'

16. The following is inserted after Annex II(I)(1):

'1a. Where the condition laid down in Annex I(3)(B) (dd) cannot be satisfied, the following condition shall be satisfied: where for the production of certified seed of hybrids of sunflower a female male sterile component and a male component which does not restore male fertility have been used, the seed produced by the male sterile parent shall be blended with seed produced by the fully fertile seed parent. The ratio of male sterile parent seed to male fertile parent shall not exceed two to one.'

17. The following is added to Annex IV(A)(a)(5):
,indicated at least under its botanical name (genus and species) in Roman characters’.
18. The following is added to Annex IV(A)(a)(6):
,indicated at least in Roman characters; in the case of varieties (inbred lines, hybrids), which are intended solely as components for hybrid varieties, the words “component” shall be added’.
19. The following is inserted after Annex IV(A)(a)(10):
‘10a. In the case of hybrid varieties, the word “hybrid”’.
20. The following is added to Annex IV(A)(b)(6):
,indicated at least in Roman characters’.
21. The following Annex is added:

‘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,
- species, indicated at least under its botanical name (genus and species) 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”,
- field or lot reference number,
- declared net or gross weight,
- the words “seed not finally certified”.

B. Colour of the label

The label shall be grey.

C. Information required for the document:

- authority issuing the document,
- species, indicated at least under its botanical name (genus and species) 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 Member State which certified that seed,
- field lot or reference number,
- area cultivated,
- quantity of seed harvested 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.’

Article 6

Directive 70/457/EEC is hereby amended as follows:

1. The following is added to Article 4(2)(a):
'however, in accordance with the procedure laid down in Article 23, it may be decided that for varieties intended for specific purposes the examination of their suitability for these purposes shall be required; in this case, the conditions for that examination shall be determined.'
2. The following is added to Article 4(2):
'(c) for the acceptance of varieties (inbred lines, hybrids) which are intended solely as components for hybrid varieties satisfying the requirements of paragraph 1.'
3. The following is added to Article 15(2):
'With regard to Greece and in respect of varieties which have been accepted before 1 January 1986 in one or more of the other Member States and which have never been allowed for marketing in Greece before that date, applications submitted by that Member State not later than 31 December 1988 shall be taken into consideration, without prejudice to the provisions laid down in paragraph 1, provided that the applications are made on the grounds referred to in paragraph 3(c), first alternative.'
4. The following is added to Article 15(7):
'With regard to Greece and in respect of applications submitted by that Member State not later than 31 December 1985 and made on the grounds referred to in paragraph 3(c), second alternative, the period provided for in paragraph 1 may be extended to 31 December 1986 for all varieties belonging to certain species, if the descriptions circulated under Article 10(2) or the Common Catalogue of Varieties of Agricultural Plant Species do not give adequate information for a proper classification of varieties of such species in respect of type or maturity class.'

Article 7

Directive 70/458/EEC is hereby amended as follows:

1. In Article 2(1)(A) the words

' <i>Brassica pekinensis</i> (Lour.) Rupr.	Chinese cabbage'
are inserted after the words	
' <i>Brassica oleracea</i> L. var. <i>gongylodes</i> L.	Kohlrabi'
and the words	
' <i>Cichorium intybus</i> L. var. <i>sativum</i> DC	Industrial chicory'
after the words	
' <i>Cichorium intybus</i> L. var. <i>filiolum</i> Bish.	Chicory'.
2. In Article 2(1a) of the English version the word 'descriptions' is replaced by 'names'.
3. Former Article 2(1b) becomes Article 2(1c).
4. The following paragraph is inserted in Article 2:
'1b. The different types of varieties, including the components, eligible for certification or control under the provisions of this Directive may be specified and defined in accordance with the procedure laid down in Article 40.'
5. The following is added to Article 4:
'In accordance with the procedure laid down in Article 40, it may be decided that, for specific species or for varieties intended for specific purposes, the variety must be of satisfactory value for cultivation and use. In that case, the conditions for the examination of that value shall be determined.'

6. The following is added to Article 10(2):

'In accordance with the procedure laid down in Article 40, Member States may be authorized until 30 June 1990 to accept, in the case of individual varieties which are regarded as distinct pursuant to Article 5 of this Directive, but closely related in their characteristics, taken as a whole, to varieties accepted before 1 July 1972 and listed in the Common Catalogue of Varieties of Vegetable Species, names which include references to the names of those other varieties.

With regard to Denmark, Ireland and the United Kingdom, the date 1 July 1972 referred to above shall be replaced by the date 1 January 1973.'
7. The following is added to Article 13(2):

'In the case of varieties referred to in the second sentence of Article 12(1) the acceptance may only be renewed where, without prejudice to the provisions of Article 37, the maintenance referred to in Article 26(2) has been officially registered and published in accordance with the provisions of Article 10(1).'
8. The following is added to Article 13(3):

'In the case of varieties for which acceptance has been granted before 1 July 1972, the period mentioned in the second sentence of paragraph 1 may be extended, in accordance with the procedure laid down in Article 40, until 30 June 1990 at the latest for individual varieties, where official measures have been taken before 1 July 1982 in order to assess whether the conditions for the renewal are met.

With regard to Denmark, Ireland and the United Kingdom the date 1 July 1972 referred to above shall be replaced by the date 1 January 1973.'
9. The following is added to Article 16:

'5. With regard to Greece and in respect of varieties which have been accepted before 1 January 1986 in one or more of the other Member States and which have never been allowed for marketing in Greece before that date, the period provided for in paragraph 2 shall expire on 31 December 1988.'
10. In the first sentence of Article 26(2) of the English text, the words 'particular method for maintenance' are replaced by the words 'given maintenance'.
11. In the second sentence of Article 26(2) of the English text, the word 'method' is replaced by the word 'maintenance'.
12. In Article 26(2) the following sentence is inserted after the second sentence:

'This reference shall follow the varietal name but be separated by a diagonal stroke. It shall not be given greater prominence than the varietal name.'
13. The following is added to Article 26(2):

'Reference shall not be made in the case of a maintenance established after 30 June 1986.'
14. The following is added to Article 26(3):

'In any case, the information prescribed or authorized under this provision shall be kept clearly separate from any other information given on the label or the package, including that provided for in Article 28.'
15. Former Article 28 becomes Article 28(1).
16. The following paragraph is added to Article 28:

'2. In the case of basic and certified seed the label or the printing referred to under paragraph 1 shall be drawn up in such a manner that it cannot be confused with the official label referred to under Article 26(1).'
17. The fifth and sixth indents of Article 30(3)(c) are replaced by the following:

— species, indicated at least under its botanical name (genus and species) in Roman characters,
— variety, indicated at least in Roman characters'.

18. Article 31 is replaced by the following:

'Article 31

1. The Member States shall provide that vegetable seed

— which has been produced directly from seed officially certified in one Member State, and

— which has been harvested in another Member State or in a third country,

may be certified 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.

2. Vegetable seed which has been harvested in another Member State, and which is intended for certification in accordance with the provisions laid down in paragraph 1, shall be packed in officially sealed packages bearing an official label and accompanied by a document satisfying the conditions laid down in Annex V.'

19. In Article 37(2) of the English version, the words 'to methods for the maintenance' are replaced by the words 'to a given maintenance'.

20. In Article 42(a) the words 'Industrial chicory' are inserted after the word 'Chicory'.

21. The following is inserted after Annex I(4)(A):

'Aa Industrial chicory

- | | |
|--|---------|
| 1. From other species of the same genera or subspecies | 1 000 m |
| 2. From another variety of industrial chicory | |
| — for basic seed | 600 m |
| — for certified seed | 300 m' |

22. In Annex II(3)(a) the words '*Beta vulgaris* (Cheltenham beet variety)' are replaced by '*Beta vulgaris* (Cheltenham beet)' and '*Beta vulgaris* (all species)' by '*Beta vulgaris* (other than Cheltenham beet)' respectively.

23. In Annex II(3)(a) the following is inserted after the line of *Brassica oleracea* (other species):

<i>'Brassica pekinensis</i>	97	1	75'.
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24. In Annex III(2) the following is inserted after the line of *Brassica oleracea*:

<i>'Brassica pekinensis</i>	20'.
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25. The following is added to Annex IV(A)(a)(5):

'indicated at least under its botanical name (genus and species) in Roman characters'.

26. The following is added to Annex IV(A)(a)(6):

'indicated at least in Roman characters'.

27. The following is added to Annex IV(B)(a)(4):

,indicated at least under its botanical name (genus and species) in Roman characters'.

28. The following is added to Annex IV(B)(a)(5):

,indicated at least in Roman characters'.

29. The following Annex is added:

*'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,
- species, indicated at least under its botanical name (genus and species) in Roman characters,
- variety, indicated at least in Roman characters,
- category,
- field or lot reference number,
- declared net or gross weight,
- the words "seed not finally certified".

B. Colour of the label

The label shall be grey.

C. Information required for the document:

- authority issuing the document,
- species, indicated at least under its botanical name (genus and species) 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 Member State which certified that seed,
- field lot or reference number,
- area cultivated,
- quantity of seed harvested and number of packages,
- 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'.

Article 8

Member States shall adopt the laws, regulations and administrative provisions necessary to comply:

- with Articles 3(9) and 7(7) and (8), with effect from 1 July 1982,
- with Article 3(10), with effect from 1 January 1983,
- with Articles 6(3) and (4) and 7(9), with effect from 1 January 1986,
- with Articles 1(1), (5), (6), (8) and (13), 2(2), (7), (9), (11), (12), (20) and (25), 3(8), (13), (15), (17), (20) and (28), 5(3), (6), (9), (11) and (21) and 7(2), (10) to (13), (18), (19), (22) and (29), not later than 1 July 1986,
- with Articles 1(2), 2(1), (3), (4), (10) and (13) to (15), 3(1) to (7), (16), (18), (19) and (21) to (24), 5(1), (2), (4), (5) and (12) to (16), 6(1) and (2) and 7(1), (3) to (6), (20), (21), (23) and (24), not later than 1 July 1987,
- with the other provisions of this Directive, not later than 1 July 1988.

They shall immediately inform the Commission thereof.

Article 9

This Directive is addressed to the Member States.
