

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****COMMISSION IMPLEMENTING DECISION**

of 25 June 2012

on the organisation of a temporary experiment under Council Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC and 2002/57/EC as regards field inspection under official supervision for basic seed and bred seed of generations prior to basic seed

(notified under document C(2012) 4169)

(Text with EEA relevance)

(2012/340/EU)

(OJ L 166, 27.6.2012, p. 90)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Implementing Decision (EU) 2017/1197 of 3 July 2017	L 172	30	5.7.2017



COMMISSION IMPLEMENTING DECISION

of 25 June 2012

on the organisation of a temporary experiment under Council Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC and 2002/57/EC as regards field inspection under official supervision for basic seed and bred seed of generations prior to basic seed

(notified under document C(2012) 4169)

(Text with EEA relevance)

(2012/340/EU)

Article 1

Subject matter

A temporary experiment is organised at Union level assessing, as regards certification of basic seed and bred seed of generations prior to basic seed, whether the possibility to choose between official field inspections and field inspections under official supervision, carried out in accordance with Articles 2 and 3, may constitute an improved alternative to official field inspections and whether the same provisions as apply to the certification of certified seed are to be applied to basic seed and bred seed of generations prior to basic seed.

The purpose of that experiment is to decide whether, as regards basic seed and bred seed of generations prior to basic seed, the requirement of official field inspections may be replaced by a requirement of either official field inspections or field inspections under official supervision as regards the following provisions:

- (a) Article 2(1)(B)(1)(d) of Directive 66/401/EEC and Article 14a(a) thereof and point (6) of Annex I thereto;
- (b) Article 2(1)(C)(d) of Directive 66/402/EEC, Article 2(1)(Ca)(c) thereof, Article 2(1)(D)(1)(d) thereof, Article 2(1)(D)(2)(b) thereof, Article 2(1)(D)(3)(c) thereof and Article 14a(a) thereof and point (7) of Annex I thereto;
- (c) Article 2(1)(c)(iv) of Directive 2002/54/EC and Article 21(a) thereof and point (4) of Part A of Annex I thereto;
- (d) Article 2(1)(c)(iv) of Directive 2002/55/EC and Article 35(a) thereof and point (2) of Annex I thereto;
- (e) Article 2(1)(c)(iv) of Directive 2002/57/EC, Article 2(1)(d)(1)(ii) thereof, Article 2(1)(d)(2)(iii) thereof and Article 18(a) thereof and point (5) of Annex I thereto.



Article 2

Inspectors carrying out inspections under official supervision

Participating Member States shall ensure that inspectors carrying out inspections under official supervision fulfil the following conditions:

- (a) They have the necessary technical qualifications.
- (b) They derive no private gain in connection with the inspections.
- (c) They have been officially licensed by the seed certification authority of the Member State concerned to carry out inspections under official supervision; 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 inspections.
- (d) They carry out inspections under the supervision of the competent seed certification authority.

Article 3

Inspections of crops and harvested seeds

1. Participating Member States shall ensure that inspections of crops and harvested seed fulfil the requirements provided for in paragraphs 2 to 5.
2. The crop to be inspected shall be grown from seed which has undergone official post-control, the results of which satisfy the requirements laid down in Annexes I to Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC and 2002/57/EC.
3. A proportion of at least 20 % of the crops shall be checked by the competent authority, as regards vegetable crops covered by Directive 2002/55/EC. For all other crops the proportion shall be at least 5 %. The following different proportions shall be used to allow to establish an appropriate level of check testing for the categories of basic seed and bred seed of generations prior to basic seed: 5, 10, 15 and 20 %.
4. A proportion of samples from the seed lots harvested from the crops shall be drawn for official post-control and, where appropriate, for official laboratory seed testing in respect of varietal identity and purity. Member States shall identify seed lots for which field inspection has been carried out under official supervision.
5. The Member States which participate in the experiment shall compare the official field inspections with those of the same field inspected under official supervision.

Article 4

Participation of Member States

Any Member State may participate in the experiment.

Member States which decide to participate in the experiment ('the participating Member States') shall inform the Commission and the other Member States indicating the species, categories and regions covered by their participation and any restrictions.

▼B

Member States may terminate their participation at any time by informing the Commission accordingly.

*Article 5***Release**

For the purposes of the experiment, participating Member States are released, in respect of official field inspections of basic seed and bred seed of generations prior to basic seed, from the obligations provided for in Article 2(1)(B)(1)(d) of Directive 66/401/EEC and Article 14a(a) thereof and point (6) of Annex I thereto, Article 2(1)(C)(d) of Directive 66/402/EEC, Article 2(1)(Ca)(c) thereof, Article 2(1)(D)(1)(d) thereof, Article 2(1)(D)(2)(b) thereof, Article 2(1)(D)(3)(c) thereof and Article 14a(a) thereof and point (7) of Annex I thereto, Article 2(1)(c)(iv) of Directive 2002/54/EC and Article 21(a) thereof and point (4) of Part A of Annex I thereto, Article 2(1)(c)(iv) of Directive 2002/55/EC and Article 35(a) thereof and point (2) of Annex I thereto and Article 2(1)(c)(iv) of Directive 2002/57/EC, Article 2(1)(d)(1)(ii) thereof, Article 2(1)(d)(2)(iii) thereof and Article 18(a) thereof and point (5) of Annex I thereto.

*Article 6***Reporting obligations**

1. Participating Member States shall for each year, by 31 March of the following year, present to the Commission and to the other Member States a report on the results of the experiment carried out in accordance with Articles 2 and 3.
2. At the end of the experiment and in any case at the end of their participation, participating Member States shall by 31 March of the following year, present to the Commission and the other Member States a report on the results of the experiment carried out in accordance with Articles 2 and 3.

This report may include other information they consider relevant in view of the purpose of the experiment.

*Article 7***Time period**

The experiment shall start on 1 January 2013 and end on ►**M1** 31 December 2019 ◀.

*Article 8***Addressees**

This Decision is addressed to the Member States.