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COUNCIL DIRECTIVE
of 14 June 1966
on the marketing of beet seed
 (66/400/EEC)
 (OJ P 125, 11.7.1966, p. 2290)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Council Directive 69/61/EEC of 18 February 1969	L 48	4	26.2.1969
► <u>M2</u> Council Directive of 30 March 1971	L 87	24	17.4.1971
► <u>M3</u> Council Directive 72/274/EEC of 20 July 1972	L 171	37	29.7.1972
► <u>M4</u> Council Directive 72/418/EEC of 6 December 1972	L 287	22	26.12.1972
► <u>M5</u> Council Directive 73/438/EEC of 11 December 1973	L 356	79	27.12.1973
► <u>M6</u> Council Directive 75/444/EEC of 26 June 1975	L 196	6	26.7.1975
► <u>M7</u> First Commission Directive 76/331/EEC of 29 March 1976	L 83	34	30.3.1976
► <u>M8</u> Council Directive 78/55/EEC of 19 December 1977	L 16	23	20.1.1978
► <u>M9</u> Council Directive 78/692/EEC of 25 July 1978	L 236	13	26.8.1978
► <u>M10</u> Council Regulation (EEC) No 3768/85 of 20 December 1985	L 362	8	31.12.1985
► <u>M11</u> Commission Directive 87/120/EEC of 14 January 1987	L 49	39	18.2.1987
► <u>M12</u> Commission Directive 88/95/EEC of 8 January 1988	L 56	42	2.3.1988
► <u>M13</u> Council Directive 88/332/EEC of 13 June 1988	L 151	82	17.6.1988
► <u>M14</u> Council Directive 88/380/EEC of 13 June 1988	L 187	31	16.7.1988
► <u>M15</u> Council Directive 90/654/EEC of 4 December 1990	L 353	48	17.12.1990

Amended by:

► <u>A1</u> Act of Accession of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland	L 73	14	27.3.1972
(adapted by Council Decision of 1 January 1973)	L 2	1	1.1.1973
► <u>A2</u> Act of Accession of Greece	L 291	17	19.11.1979

Corrected by:

- **C1** Consolidated text of corrigenda to instruments published in Special Editions 1952-72
- **C2** Consolidated text of corrigenda to instruments published in Special Editions 1952-72
- **C3** Consolidated text of corrigenda to instruments published in Special Editions 1952-72
- **C4** Consolidated text of corrigenda to instruments published in Special Editions 1952-72

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COUNCIL DIRECTIVE
of 14 June 1966
on the marketing of beet seed
(66/400/EEC)

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament (1);

Having regard to the Opinion of the Economic and Social Committee;

Whereas the production of sugar beet and fodder beet (hereinafter called 'beet') occupies an important place in the agriculture of the European Economic Community;

Whereas satisfactory results in beet cultivation depend to a large extent on the use of appropriate seed; whereas to this end certain Member States have for some time restricted the marketing of beet seed to high-quality seed; whereas they have been able to take advantage of the systematic plant selection work carried out over several decades which has resulted in the development of sufficiently stable and uniform types and varieties of beet which, by reason of their characters, promise to be of great value for the purposes in view;

Whereas greater productivity will be achieved in Community beet cultivation if for the choice of the types and varieties permitted to be marketed the Member States apply uniform rules which are as strict as possible;

Whereas it is, however, justifiable to restrict marketing to certain types or varieties only if the farmer can be sure of actually obtaining seed of those types or varieties;

Whereas certain Member States have for this purpose been applying certification schemes which are intended by official control to ensure the identity and purity of the types and varieties;

Whereas such schemes already exist at international level for maize seed (Food and Agriculture Organisation (SIC! Organization) of the United Nations) and for herbage seed (Organisation (SIC! Organization) for Economic Co-operation and Development);

Whereas it is desirable to establish a uniform certification scheme for the Community based on the experience gained in the application of those schemes;

Whereas the scheme should apply to marketing both in other Member States and on domestic markets;

Whereas, as a general rule, beet seed should be allowed to be marketed only if it has been officially examined and certified, in accordance with the rules for certification, as basic seed or certified seed; whereas the choice of the technical terms 'basic seed' and 'certified seed' is based on already existing international terminology;

Whereas beet seed which is not placed on the market should not, in view of its minor economic importance, be subject to Community rules; whereas Member States must retain the right to make such seed subject to special provisions;

Whereas Community rules should not apply to seed shown to be intended for export to third countries;

Whereas, in order to improve the quality of Community beet seed, certain requirements must be laid down as to polyploidy, monogermity

(1) OJ No 109, 9. 7. 1964, p. 1744/64.

▼B

segmentation, analytical purity, germination and moisture content; whereas, in adopting provisions in this field, account should be taken of the requirements based on the recommendations of the International Institute for Sugar Beet Research, which are already in general application in the sugar beet seed trade;

Whereas, in order to ensure the identity of the seed, Community rules on packaging, sampling, sealing and marking must be established; whereas to this end the labels should give the particulars needed both for official control and for the information of the farmer and should clearly show the Community nature of the certification;

Whereas, in order to ensure that both the requirements as to the quality of seed and the provisions for ensuring its identity are complied with during marketing, the Member States must make provision for appropriate control arrangements;

Whereas seed satisfying these requirements should, without prejudice to Article 36 of the Treaty, be subject to no marketing restrictions other than those provided for in Community rules;

Whereas, during a first stage, until a common catalogue of types or varieties has been established, the restrictions allowed should include in particular the right of Member States to restrict the marketing of seed to those types or varieties which are of value for cropping and use in their own territory;

Whereas, subject to certain conditions, seed multiplied in another country from basic seed certified in a Member State should be recognised (SIC! recognized) as being equivalent to seed multiplied in that Member State;

Whereas, on the other hand, provision should be made for authorising (SIC! autorizing) the marketing within the Community of beet seed harvested in third countries only if such seed affords the same assurances as seed officially certified within the Community and complying with Community rules

Whereas, during periods in which there are difficulties in obtaining supplies of certified seed of the various categories, seed satisfying less stringent requirements should temporarily be permitted to be marketed;

Whereas, in order to harmonise (SIC! harmonize) the technical methods of certification used in the various Member States and to enable comparisons to be made in the future between seed certified within the Community and that coming from third countries, Community test fields should be established in Member States to permit annual post-control of seed of the category 'certified seed';

Whereas the Commission should be entrusted with the task of adopting certain measures for the application of this Directive; whereas, in order to facilitate implementation of the proposed measures, a procedure should be provided for establishing close co-operation between Member States and the Commission within a Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry;

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive shall apply to beet seed marketed within the Community.

Article 2

►M1 1. ◀ For the purposes of this Directive, the following definitions shall apply:

A. Beet: sugar and fodder beet of the species *Beta vulgaris* L.

B. Basic seed: seed

(a) which has been produced under the responsibility of the breeder according to well-defined practices for the maintenance of the

►M1 ————— ◀ variety;

▼B

- (b) which is intended for the production of seed of the category 'certified seed';
 - (c) which, subject to the provisions of Article 4, satisfies the conditions laid down in Annex I for basic seed; and
 - (d) which has been found by official examination to satisfy the above-mentioned (SIC! abovementioned) conditions.
- C. Certified seed: seed
- (a) which is of direct descent from basic seed;
 - (b) which is intended for the production of beet;
 - (c) which, subject to the provisions of Article 4 (b), satisfies the conditions laid down in Annex I for certified seed; and
 - (d) which has been found by official examination to satisfy the above-mentioned (SIC! abovementioned) conditions.
- D. Monogerm seed: genetically monogerm seed.

▼M1

- E. Precision seed: seed designed for use in precision drills which, as required under Annex I (B) (3) (b) ►**M14** (aa) (a) and (bb ◀), gives single seedlings.

▼B

- F. Official measures: measures taken
- (a) by State authorities, or
 - (b) by any legal person whether governed by public or by private law, acting under (SIC! under) the responsibility of the State, or
 - (c) in the case of ancillary activities which are also under 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.

▼M6

- G. Small EEC packages: packages containing the following certified seeds:
- monogerm or precision seed: not exceeding 100 000 clusters or grains or a net weight of 2,5 kg excluding, where appropriate, granulated pesticides, pelleting substances or other solid additives;
 - seed other than monogerm or precision seed: not exceeding a net weight of 10 kg, excluding, where appropriate, granulated pesticides, pelleting substances or other solid additives.

▼M14

- 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.

▼M1

2. Member States may, during a transitional period of not more than four 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 (C), 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.

▼B*Article 3*

1. The Member States shall provide that beet seed may not be placed on the market unless it has been officially certified as 'basic seed' or 'certified seed' and unless it satisfies the conditions laid down in Annex I (B).

▼B

2. The Member States shall ensure that the official examinations of seed are carried out in accordance with current international methods, in so far as such methods exist.
3. Member States may provide for derogations from the provisions of paragraph 1:
 - (a) for bred seed of generations prior to basic seed;
 - (b) for tests or for scientific purposes;
 - (c) for selection work;
 - (d) for seed as grown, marketed for processing, provided that the identity of the seed is ensured.

Article 4

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

- (a) authorise (SIC! authorize) the official certification and marketing of basic seed which does not satisfy the conditions laid down in Annex I 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 seed rapidly available, notwithstanding the fact that the official examination to check compliance with the conditions laid down in Annex I in respect of germination has not been concluded, authorise (SIC! authorize) the official certification and the marketing as far as the first buyer by way of trade of seed 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 indicated; 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.

Article 5

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

▼M2*Article 6*

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

▼B*Article 7*

1. The Member States shall require that, for the checking of ►M1 — varieties and for the examination of seed for certification, samples are drawn officially in accordance with appropriate methods.
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 II.

▼ M1▼ B*Article 9*

1. The Member States shall require that basic seed and certified seed be marketed only in sufficiently homogeneous ► M1 lots ◀ and in sealed ► C2 package ◀ s bearing, as prescribed in ► M6 Articles 10, 11 or 11a, whichever is appropriate ◀, a sealing device and markings.
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.

▼ M6*Article 10*▼ M9

1. The Member States shall require that packages of basic seed and certified seed, except where seed of the latter category takes the form of small EEC packages, be sealed officially or under official supervision in such a manner that they cannot be opened without damaging the sealing system or leaving evidence of tampering on either the official label provided for in Article 11 (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 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 fulfils the provisions of this paragraph.

▼ M6

2. Member States shall require that, except in the case of small EEC packages, packages shall not be resealed on one or more occasions unless this is done officially ► M9 or under official supervision ◀. If packages are resealed, the fact of resealing, the date of resealing and the authority responsible therefor shall be stated on the label required under Article 11 (1).

▼ M9

3. The Member States shall require that small EEC packages be sealed in such a manner that they cannot be opened without damaging the sealing system or leaving evidence of tampering on the label or package. 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. Packages shall not be resealed on one or more occasions except under official supervision.

▼ M6

4. Member States may provide for exceptions to paragraphs 1 and 2 in the case of small packages of basic seed.

▼ M8*Article 11*

1. Member States shall require that packages of basic seed and certified seed, except where seed of the latter category takes the form of small EEC packages:

- (a) be labelled on the outside with an official label which has not previously been used, which satisfies the conditions laid down in Annex III (A) 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 and blue for certified seed. 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 (a), the basic seed does not satisfy the conditions laid down in Annex I 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

▼M8

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 III (A) (I) (3), (4), (5), (10) and (11). 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.

2. Member States may provide for exceptions to paragraph 1 in the case of small packages of basic seed where they are marked: 'passed for marketing in ... (Member State concerned) only'.

▼M6*Article 11a*

1. Member States shall require that small EEC packages:

- (a) bear on the outside, in accordance with Annex III (B), a supplier's label, a printed notice or stamp in one of the official languages of the Community; in the case of transparent packages this label may be placed inside, provided it can be read through the package; the label shall be blue in colour;
- (b) bear on the outside or on the supplier's label provided for in subparagraph (a) an officially assigned serial number; should an official adhesive label be used, it shall be blue in colour; the methods of attaching the said serial number may be fixed in accordance with the procedure laid down in Article 21.

2. Member States may require that an official adhesive label containing all or part of the information laid down in Annex III (B) be used for marking small EEC packages packed in their territory; in so far as the information is given on such label, the marking provided for in paragraph 1 (a) shall not be required.

Article 11b

Member States may provide that, on request, small EEC packages of certified seed are ►**M8** closed and marked officially or under official supervision ◀ pursuant to Article 10 (1) and Article 11.

Article 11c

The Member States shall take all measures necessary to ensure that, in the case of small packages of certified seed, the identity of the seed can be checked in particular at the time when seed lots are divided up. To this end, they may require that small packages divided up in their territory be sealed officially or under official supervision.

▼B*Article 12*

►**M14** 1. ◀ This Directive shall not affect the right of Member States to require that, in cases other than those provided for ►**M6** by this Directive ◀, ►**C2** packages ◀ of basic seed or certified seed, whether the seed has been produced in their own territory or imported, must, if the seed is to be marketed within their territory, bear a supplier's label.

▼M14

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).

▼ **B***Article 13*

The Member States shall require that any chemical treatment of basic seed or certified seed be noted either on the official label or on the supplier's label and on the ► **C2** package ◀ or inside it.

▼ **M14***Article 13a*

For the purpose of seeking improved alternatives to certain elements of the certification scheme adopted under this Directive, it may be decided to organize temporary experiments under specified conditions at Community level in accordance with the provisions laid down in Article 21.

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*▼ **M6**

1. Member States shall ensure that:

- basic seed and certified seed which has been officially certified and the containers of which have been ► **M8** marked and closed officially or under official supervision ◀ in accordance with this Directive,
- certified seed which has been officially certified and takes the form of small EEC packages which have been marked and sealed in accordance with this Directive,

are not subject to any marketing restrictions as regards their characteristics, examination requirements, marking and sealing, other than those laid down in this Directive.

▼ **B**

2. Member States may:

- (a) until such time, which should not be later than 1 January 1970, as a common catalogue of ► **M1** ————— ◀ varieties can be introduced, restrict the marketing of beet seed to those ► **M1** ————— ◀ varieties which are entered in a national list based on value for cropping and use in their territory; the conditions for inclusion in this list shall be the same for ► **M1** ————— ◀ varieties coming from other Member States as for domestic ► **M1** ————— ◀ varieties;
- (b) provide that beet seed may not be placed on the market unless it corresponds to specified sizes.

▼ **M1**

- (c) increase the minimum percentages of clusters giving single seedlings laid down for precision seed in Annex I (B) (3) (b) ► **M14** (aa) (a) and (bb) ◀.

▼ **M4**

3. Those Member States which have provided for exemptions in accordance with the provisions of Article 3 (3) (a) shall ensure that bred seed of generations prior to basic seed are subject to no marketing restrictions on account of their characteristics, examination arrangements, marking and sealing,

- (a) if it has been officially checked by the competent certification authority in accordance with the provisions applicable for the certification of basic seed,
- (b) if it is packed in accordance with the provisions of this Directive, and

▼ M4

(c) if the ► **C2** packages ◀ bear an official label giving at least the following particulars:

- certification authority and Member State or their distinguishing abbreviation,
- ► **C2** lot ◀ reference number,

▼ M9

- month and year of sealing,
- or
- month and year of the last official sampling for the purposes of certification,

▼ M14

- species, indicated at least in roman characters, under its botanical name, which may be given in abridged form and without the authorities' names, or under its common name, or both; indication whether sugar beet or fodder beet,
- variety, indicated at least in roman characters,

▼ M4

- the description 'pre-basic seed',
- number of prior generations of seed of the category 'certified seed'.

The label shall be white with a diagonal purple line.

▼ M14*Article 15*

1. Member States shall provide that beet seed

- which has been produced directly from basic seed officially certified in one or more Member States or in a third country which has been granted equivalence under Article 16 (1) (b), 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 (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.

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.

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 and labelled with an official label satisfying the conditions laid down in Annex IV (A) and (B), in accordance with the provisions laid down in Article 10 (1), and
- be accompanied by an official document satisfying the conditions laid down in Annex IV (C).

3. The Member States shall also provide that beet seed

- which has been produced directly from basic seed officially certified in one or more Member States or in a third country which has been granted equivalence under Article 16 (1) (b), and
- which has been harvested in a third country,

shall, on request, be officially certified as certified seed in any of those Member States where the basic seed was either produced or officially certified, if the seed has undergone field inspection satisfying the conditions laid down in an equivalence decision made under Article 16 (1) (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. Other Member States may also authorize official certification of such seed.

▼ 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 (A);
 - (b) beet seed harvested in a third country and affording the same assurances as regards its ► C2 characteristics ◀ and the arrangements for its examination, for ensuring its identity, for marking and for control is equivalent in these respects to basic seed or certified seed harvested within the Community and complying with the provisions of this Directive.

▼ M5

2. Member States may themselves take decisions under paragraph 1 concerning a third country, in so far as the Council has not yet taken any 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.

▼ M15

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

▼ B*Article 17*▼ M4

1. In order to remove any temporary difficulties in the general supply of basic seed or certified seed that occur in one or more Member States and cannot be overcome within the Community, one or more Member States may be authorised (SIC! authorized), in accordance with the procedure laid down in Article 21, to permit, for a specified period, the marketing of seed of a category subject to less stringent requirements, or of seed varieties not included in the 'Common Catalogue of Varieties of Agricultural Plant Species' or their national Catalogues of Varieties.

▼ B

2. For a category of seed of any given ► M1 ————— ◀ variety, the official label shall be that provided for the corresponding category; in all other cases it shall be ► M1 brown ◀. The label shall always state that the seed in question is of a category satisfying less stringent requirements.

▼ M13

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 beet seed shown to be intended for export to third countries

Article 19

- M4 1. ◀ The Member States shall make suitable arrangements for beet seed to be officially controlled during marketing, at least by check sampling, as regards its compliance with the requirements of this Directive.

▼ M4

2. The Member States shall take all necessary measures to ensure that the following particulars are presented during the marketing of

▼M4

quantities exceeding 2 kg of seed coming from another Member State or from a third country:

- (a) species
- (b) variety
- (c) category
- (d) country of production and official control authority
- (e) country of dispatch
- (f) importer
- (g) quantity of seed.

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

▼B*Article 20***▼M2**

1. Community comparative tests shall be carried out within the Community for the post-control of samples of certified beet seed taken during check sampling. Satisfaction of the conditions with which the seed must comply may be checked during the post-control tests. The arrangements for holding the tests and their results shall be submitted to the Committee referred to in Article 21.

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2. These comparative tests shall, during a first stage, be used to harmonise (SIC! harmonize) the technical methods of certification so as to obtain results which are equivalent. As soon as this aim is achieved, annual progress reports shall be made on the comparative tests and sent in confidence to the Member States and to the Commission. The Commission shall, in accordance with the procedure laid down in Article 21, set the date for the first report.

3. The Commission acting in accordance with the procedure laid down in Article 21, shall make the necessary arrangements for the comparative tests to be carried out. Beet seed harvested in third countries may be included in the comparative tests.

Article 21

1. Where the procedure laid down in this Article is to be followed, matters shall be referred by the Chairman, either on his own initiative or at the request of the representative of a Member State, to the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry (hereinafter called the 'Committee') set up by the Council Decision of 14 June 1966⁽¹⁾.

2. Within the Committee, the votes of the Member States shall be weighted as provided in Article 148 (2) of the Treaty. The Chairman shall not vote.

3. The representative of the Commission shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on such measures within a time limit set by the Chairman according to the urgency of the matter. Opinions shall be delivered by a majority of ►**M10** fifty-four ◀ (SIC! 54) votes.

4. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall forthwith be communicated by the Commission to the Council. In that event the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2289/66.

▼ M2*Article 21a*▼ M5

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

▼ B*Article 22*

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.

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.

▼ M15

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),
- 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 that referred to above, but not later than 31 December 1992 in respect of the second indent and not later than 31 December 1993 in respect of the first indent.

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.

▼ B*Article 24*

This Directive is addressed to the Member States.

▼B

ANNEX I

Conditions for certification

A. THE CROP

▼M11

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

▼B

1. The crop shall have sufficient identity and purity of ►M1 ◀ variety.
2. The seed producer shall submit all the multiplications of a given ►M1 ◀ variety of seed for examination by the certification authority.
3. There shall be at least one official field inspection and in the case of basic seed at least two such inspections, one of seedlings and one of the seed-producing plants
4. ►C2 The cultural condition of the field and the stage of development of the crops shall be such as to permit ◀ identity and varietal purity to be adequately checked.

▼M11

5. The minimum distances from neighbouring pollen sources shall be:

Crop	Minimum distance
1. For the production of basic seed: from any pollen sources of the genus <i>Beta</i>	1 000 m
2. For the production of certified seed:	
(a) of sugar beet:	
— from any pollen sources of the genus <i>Beta</i> not included below	1 000 m
— the intended pollinator or one of the intended pollinators being diploid, from tetraploid sugar beet pollen sources	600 m
— the intended pollinator being exclusively tetraploid, from diploid sugar beet pollen sources	600 m
— from sugar beet pollen sources, the ploidy of which is unknown	600 m
— the intended pollinator or one of the intended pollinators being diploid, from diploid sugar beet pollen sources	300 m
— the intended pollinator being exclusively tetraploid, from tetraploid sugar beet pollen sources	300 m
— between two sugar beet seed production fields in which male sterility is not used	300 m
(b) of fodder beet:	
— from any pollen sources of the genus <i>Beta</i> not included below	1 000 m
— the intended pollinator or one of the pollinators being diploid, from tetraploid fodder beet pollen sources	600 m
— the intended pollinator being exclusively tetraploid, from diploid fodder beet pollen sources	600 m
— from fodder beet pollen sources, the ploidy of which is unknown	600 m
— the intended pollinator or one of the pollinators being diploid, from diploid fodder beet pollen sources	300 m
— the intended pollinator being exclusively tetraploid, from tetraploid fodder beet pollen sources	300 m
— between two fodder beet seed production fields in which male sterility is not used	300 m

▼M11

The above distances can be disregarded if there is sufficient protection from any undesirable foreign pollinator. No isolation is necessary between seed crops using the same pollinator.

The ploidy of both seed-bearing and pollen-shedding components of seed-producing crops is to be established by reference to the common catalogue of varieties of agricultural plant species compiled under Council Directive 70/457/EEC ⁽¹⁾, as last amended by Directive 90/654/EEC ⁽²⁾, or the national catalogues of varieties established under that Directive. If this information is not included for any variety, the ploidy is to be regarded as unknown, and thus a minimum isolation distance of 600 metres is required.

▼B**B. THE SEED**

1. The seed shall have sufficient identity and purity of ► **M1** ————— ◀ variety.
2. Diseases which reduce the usefulness of the seed shall be at the lowest possible level.
3. The seed shall also satisfy the following conditions:

▼M7

Crop	Minimum analytical purity ⁽¹⁾ (% by weight)	Minimum germination (% of clusters or pure seed)	Maximum moisture content ⁽¹⁾ (% by weight)
(a) Sugar-beet			
— monogerm seed	97	80	15
— precision seed	97	75	15
multigerm seed of varieties (SIC! varieties) with more than 85% diploids	97	73	15
— other seeds	97	68	15
(b) Fodder-beet:			
— multigerm seed of varieties with more than 85% diploids, monogerm seed, precision seed	97	73	15
— other seeds	97	68	15

The percentage by weight of other seeds shall not exceed 0,3.

(1) Excluding, where appropriate, granulated pesticides, pelleting substances or other solid additives.

▼M1

- (b) Special conditions for monogerm seed and for precision seed:

- (aa) Monogerm seed:

At least 90% of the germinated clusters shall give single seedlings.

▼M7

The percentage of clusters giving three or more seedlings shall not exceed five, calculated on the germinated clusters.

- (aa) (a) Precision seed of sugar beet:

At least 70% of the germinated clusters shall give single seedlings. The percentage of clusters giving three or more seedlings shall not exceed five, calculated on the germinated clusters.

- (bb) Precision seed of fodder-beet:

▼M1

In the case of varieties with a percentage of diploids exceeding 85, at least 58% of the germinated clusters shall give single

⁽¹⁾ OJ No L 225, 12. 10.1970, p. 1.

⁽²⁾ OJ N o L 353, 17. 12. 1990, p. 48.

▼M1

seedlings. In the case of all other seeds, at least 63% of the germinated clusters shall give single seedlings.

The percentage of clusters giving three or more seedlings shall not exceed 5 (SIC! five), calculated on the germinated clusters.

▼M12

- (cc) In the case of seed of the category 'basic seed', the percentage by weight of inert matter shall not exceed 1,0. In the case of seed of the category 'certified seed', the percentage by weight of inert matter shall not exceed 0,5. In the case of pelleted seed of both categories, the satisfaction of the relevant condition shall be examined on samples drawn, pursuant to Article 7 (1), from processed seed which has undergone partial decortication (rubbing or grinding) but has not yet been pelleted, without prejudice to the official examination of the minimum analytical purity of the pelleted seed.
- (c) Other special conditions: Member States shall ensure that beet seed may not be introduced into areas recognized as 'Rhizomania-free zones' under appropriate Community procedures, unless the percentage by weight of inert matter does not exceed 0,5.

▼ **B**

ANNEX II

Maximum weight of a seed lot: 20 metric tons

Minimum weight of a sample: ► **M1** 500 ◀ grammes

▼ **M11**

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

▼ **M6***ANNEX III***MARKING****A. Official label***I. Information required*

1. 'EEC rules and standards',
2. Certification authority and Member State or their initials,
3. Reference number of lot,

▼ **M9**

- 3(a) 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),

▼ **M14**

4. Species, indicated at least in roman characters, under its botanical name, which may be given in abridged form and without the authorities' names, or under its common name, or both; indication whether sugar beet or fodder beet,

▼ **M6**

5. Variety ► **M14** indicated at least in roman characters ◀,
6. Category,
7. Country of production,
8. Declared net or gross weight or declared number of clusters or pure seeds,
9. 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 clusters or pure seeds and the total weight,
10. For monogerm seed: the word 'monogerm',
11. For precision seed: the word 'precision',

▼ **M8**

12. 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.

▼ **M6***II. Minimum dimensions*

110 × 67 mm.

B. Supplier's label or information on the packing (small ECC package)*Information required*

1. 'Small EEC package',
2. Name and address of the supplier responsible for marking or his identification mark,
3. Officially assigned serial number,
4. Service which assigned the serial number and name of Member State or their initials,
5. Reference number if the official serial number does not enable the lot to be identified,

▼ **M14**

6. Species, indicated at last (SIC! least) in roman characters; indication whether sugar beet of (SIC! or) fodder beet,

▼ **M6**

7. Variety ► **M14** indicated at least in roman characters ◀,
8. 'Certified seed',
9. Net or gross weight or number of clusters or pure seeds,

▼ **M6**

10. 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 clusters or pure seeds and the total weight,
11. For monogerm seed: the word 'monogerm',
12. For precision seed: the word 'precision'.

▼ **M14***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 in roman characters, under its botanical name, which may be given in abridged form and without the authorities' names, or under its common name, or both; 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 in roman characters, under its botanical name, which may be given in abridged form and without the authorities' names, or under its common name, or both; 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 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 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.