

**COUNCIL DIRECTIVE  
of 14 June 1966  
on the marketing of fodder plant seed  
(66/401/EEC)**

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

Amending acts

		Official Journal		
		No	page	date
(a)	Council Directive of 18 February 1969 amending the Council Directive of 14 June 1966 on the marketing of fodder plant seed (69/63/EEC)	L 48	8	26. 2. 1969
(b)	Council Directive of 30 March 1971 amending the Directives of 14 June 1966 on the marketing of beet seed, fodder plant seed, cereal seed and seed potatoes, the Directive of 30 June 1969 on the marketing of seed of oil and fibre plants and the Directive of 29 September 1970 on the marketing of vegetable seed (71/162/EEC)	L 87	24	17. 4. 1971
(c)	Council Directive of 20 July 1972 amending the Directives of 14 June 1966 on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, the Directive of 30 June 1969 on the marketing of seed of oil and fibre plants and the Directives of 29 September 1970 on the marketing of vegetable seed and on the common catalogue of varieties of agricultural species (72/274/EEC)	L 171	37	29. 7. 1972
(d)	Council Directive of 6 December 1972 amending the Directives of 14 June 1966 on the marketing of beet seed, of fodder-crop seed, of cereal seed, of seed potatoes, the Directive of 30 June 1969 on the marketing of oleaginous and fibrous plant seed, and the Directives of 29 September 1970 on the marketing of vegetable seed and on the Common Catalogue of Varieties of Agricultural Plant Species (72/418/EEC)	L 287	22	26. 12. 1972
(e)	Council Directive of 11 December 1973 amending the Directives of 14 June 1966 on the marketing of beet seed, fodder plant seed, cereal seed and seed potatoes; the Directive of 30 June 1969 on the marketing of seed of oil and fibre plants; and the Directives of 29 September 1970 on the marketing of vegetable seed and on the common catalogue of varieties of agricultural plant species (73/438/EEC)	L 356	79	27. 12. 1973
(f)	Council Directive of 26 June 1975 amending Directives No 66/400/EEC, No 66/401/EEC, No 66/402/EEC, No 66/403/EEC and No 69/208/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, and seed of oil and fibre plants (75/444/EEC)	L 196	6	26. 7. 1975
(g)	Council Directive of 19 December 1977 amending Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 68/193/EEC, 69/208/EEC, 70/458/EEC and 70/457/EEC on the marketing of beet seed, fodder plant seed, cereal seed, material for the vegetative propagation of the vine, seed of oil and fibre plants, vegetable seed and on the common catalogue of varieties of agricultural plant species (78/55/EEC)	L 16	23	20. 1. 1978
(h)	First Commission Directive of 18 April 1978 amending the Annexes to Directive 66/401/EEC on the marketing of fodder plant seed (78/386/EEC)	L 113	1	25. 4. 1978
(i)	Council Directive of 25 July 1978 amending Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 68/193/EEC, 69/208/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, material for the vegetative propagation of the vine, seed of oil and fibre plants and vegetable seed (78/692/EEC)	L 236	13	26. 8. 1978

(j)	Council Directive of 5 December 1978 amending Directives 66/401/EEC, 66/402/EEC and 69/208/EEC on the marketing of fodder plant seed, cereal seed and seed of oil and fibre plants (78/1020/EEC)	L 350	27	14. 12. 1978
(k)	Commission Directive of 27 June 1979 amending Council Directives 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC on the marketing of fodder plant seed, cereal seed, seed of oil and fibre plants and vegetable seed (79/641/EEC)	L 183	13	19. 7. 1979
(l)	Council Directive of 24 July 1979 amending Directives 66/401/EEC, 66/402/EEC, 70/458/EEC and 70/457/EEC on the marketing of fodder plant seed, cereal seed and vegetable seed and on the common catalogue of varieties of agricultural plant species (79/692/EEC)	L 205	1	13. 8. 1979
(m)	Commission Directive of 17 July 1980 amending Annex II to Council Directive 66/401/EEC on the marketing of fodder plant seed (80/754/EEC)	L 207	36	9. 8. 1980
(n)	Commission Directive of 16 February 1981 amending the Annexes to Council Directives 66/401/EEC, 66/402/EEC and 69/208/EEC on the marketing of fodder plant seed, cereal seed and seed of oil and fibre plants respectively and Directives 78/386/EEC and 78/388/EEC (81/126/EEC)	L 67	36	12. 3. 1981
(o)	Commission Directive of 13 April 1982 amending the Annexes to Council Directives 66/401/EEC and 69/208/EEC on the marketing of fodder plant seed and seed of oil and fibre plants respectively, and Directives 78/386/EEC and 78/388/EEC (82/287/EEC)	L 131	24	13. 5. 1982
(p)	Commission Directive of 14 December 1984 amending Annexes I and II to Council Directive 66/401/EEC on the marketing of fodder plant seed (85/38/EEC)	L 16	41	19. 1. 1985
(q)	Council Regulation (EEC) No 3768/85 of 20 December 1985 adapting, on account of the accession of Spain and Portugal, certain agricultural acts as regards the voting procedure of the Committees	L 362	8	31. 12. 1985
(r)	Council Directive of 22 April 1986 amending, on account of the accession of Spain and Portugal, certain Directives concerning the marketing of seeds and plants (86/155/EEC)	L 118	23	7. 5. 1986
(s)	Commission Directive of 14 January 1987 amending various Council Directives on the marketing of seeds and propagating materials (87/120/EEC)	L 49	39	18. 2. 1987
(t)	Commission Directive of 9 September 1987 amending Council Directives 66/401/EEC and 69/208/EEC on the marketing of fodder plant seed and seed of oil and fibre plants respectively (87/480/EEC)	L 273	43	26. 9. 1987
(u)	Council Directive of 13 June 1988 amending certain Directives on the marketing of seed and propagating material so as to provide for rules for applying the provisions relating to seed and propagating material satisfying less stringent requirements (88/332/EEC)	L 151	82	17. 6. 1988
(v)	Council Directive of 13 June 1988 amending Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC, 70/457/EEC and 70/458/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 (88/380/EEC)	L 187	31	16. 7. 1988
(w)	Commission Directive of 20 January 1989 amending Annex II to Council Directive 66/401/EEC on the marketing of fodder plant seed (89/100/EEC)	L 38	36	10. 2. 1989
(x)	Council Directive of 4 December 1990 on the transitional measures and the adjustments required to the Directives on plant health, seeds, plants and animal feedingstuffs and to the veterinary and zootechnical legislation as a result of German unification (90/654/EEC)	L 353	48	17. 12. 1990
(y)	Commission Directive 92/19/EEC of 23 March 1992 amending Directive 66/401/EEC on the marketing of fodder plant seed	L 104	61	22. 4. 1992

**COUNCIL DIRECTIVE**  
**of 14 June 1966**  
**on the marketing of fodder plant seed**  
**(66/401/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 <sup>(1)</sup>;

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

Whereas fodder plant production occupies an important place in the agriculture of the European Economic Community;

Whereas satisfactory results in fodder plant 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 fodder plant 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 fodder plant varieties 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 fodder plant cultivation if for the choice of the 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 varieties only if the user can be sure of actually obtaining seed of those varieties;

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

Whereas such a scheme already exists at international level; whereas the Organisation for Economic Co-operation and Development has established a scheme for the varietal certification of herbage seed moving in international trade;

Whereas it is desirable to establish a uniform certification scheme for the Community based on the experience gained in the application of that scheme and of national schemes for this product;

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

Whereas, as a general rule, fodder plant seed, for whatever use it is intended as grown, 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 or if, in the case of certain genera and species, it has been officially examined and approved as commercial seed; whereas the choice of the technical terms

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<sup>(1)</sup> OJ No 109, 9. 7. 1964, p. 1751/64.

'basic seed' and 'certified seed' is based on already existing international terminology;

Whereas there should be approval for commercial seed in order to take into account the fact that not all genera and species of fodder plant of importance for cropping have as yet produced either the desired varieties or sufficient quantities of seed of the existing varieties to meet all the needs of the Community; whereas it is therefore necessary, in the case of certain genera and species, to approve fodder plant seed which is not of a named variety, but which satisfies the regulations in all other respects;

Whereas fodder plant 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 not only the genetic quality of Community fodder plant seed but also its external characters, certain requirements should be laid down as to analytical purity and germination;

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 user and should clearly show the Community nature of the certification of the certified seed of the various categories;

Whereas certain Member States need blends of fodder plant seed of several genera and species for special uses; whereas, in order to take these needs into account, Member States should be authorised to approve such blends subject to certain conditions;

Whereas, in order to ensure that both the requirements as to the quality of the 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 varieties has been established, the restrictions allowed should include in particular the right of Member States to restrict the marketing of certified seed to those 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 as equivalent to seed multiplied in that Member State;

Whereas, on the other hand, provision should be made for authorising the marketing within the Community of fodder plant seed harvested in third countries only if such seed affords the same assurances as seed officially certified, or officially approved as commercial seed, 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 or of commercial seed, seed satisfying less stringent requirements should temporarily be permitted to be marketed;

Whereas, in order to harmonise 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 various categories of '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 fodder plant seed marketed within the Community, irrespective of the use for which the seed as grown is intended.

*Article 2*

1. For the purposes of this Directive, the following definitions shall apply: 26/02/1969 – 69/63L – INSERT

A. Fodder plants: plants of the following genera and species:

(a) <i>Gramineae</i>	<i>Grasses</i>	
<i>Agrostis canina</i> L.	Velvet bent	19/07/1979 – 79/641L – REPLACE
<i>Agrostis gigantea</i>	Roth Redtop	17/04/1971 – 71/162L – REPLACE
<i>Agrostis stolonifera</i> L.	Creeping bent grass	
<u><i>Agrostis capillaris</i> L.</u>	Brown top	<u>18/02/1987 – 87/120 – REPLACE</u>
<i>Alopecurus pratensis</i> L.	Meadow foxtail	
<u><i>Arrhenatherum elatius</i> (L.) P. Beauv. ex J.S. et (SIC! and) K.B. Presl.</u>	Tall oatgrass	19/07/1979 – 79/641L – REPLACE <u>18/02/1987 – 87/120 – REPLACE</u>
<i>Bromus catharticus</i> Vahl	Rescue grass	16/07/1988 – 88/380L – INSERT
<i>Bromus sitchensis</i> Trin.	Alaska brome-grass	
<i>Cynodon dactylon</i> (L.) Pers.	Bermuda grass	07/05/1986 – 86/155L – INSERT
<i>Dactylis glomerata</i> L.	Cocksfoot	
<u><i>Festuca arundinacea</i> Schreber</u>	Tall fescue	<u>18/02/1987 – 87/120 – REPLACE</u>
<i>Festuca ovina</i> L.	Sheep's fescue	
<u><i>Festuca pratensis</i> Hudson</u>	Meadow fescue	<u>18/02/1987 – 87/120 – REPLACE</u>
<i>Festuca rubra</i> L.	Red fescue	
<i>Lolium multiflorum</i> Lam.	Italian ryegrass (including West-erwold ryegrass)	17/04/1971 – 71/162L – REPLACE
<i>Lolium perenne</i> L.	Perennial rye-grass	
<u><i>Lolium</i> ☉ <i>boucheanum</i> Kunth</u>	Hybrid ryegrass	<u>18/02/1987 – 87/120 – REPLACE</u>
<i>Phalaris aquatica</i> L.	Harding grass, Phalaris	07/05/1986 – 86/155L – INSERT
<i>Phleum bertolonii</i> DC	Timothy	27/12/1973 – 73/438L – INSERT 19/07/1979 – 79/641L – REPLACE
<i>Phleum pratense</i> L.	Timothy	
<i>Poa annua</i> L.	Annual meadow-grass	17/04/1971 – 71/162L – REPLACE
<i>Poa nemoralis</i> L.	Wood meadow-grass	
<i>Poa palustris</i> L.	Swamp meadow-grass	

<i>Poa pratensis</i> L.	Smooth-stalk meadowgrass	
<i>Poa trivialis</i> L.	Rough-stalk meadowgrass	
<u><i>Trisetum flavescens</i> (L.) P. Beauv.</u>	Golden oatgrass	19/07/1979 – 79/641L – REPLACE 18/02/1987 – 87/120 – REPLACE
This definition shall also cover the following hybrid resulting from the crossing of species referred to above.		22/04/1992 – 92/19L – INSERT
<i>Festuca pratensis</i> Huds. ☿ <i>Lolium multiflorum</i> Lam.	Hybrid resulting from the crossing of tall fescue with Italian ryegrass (including West-erworld ryegrass) (☿ <i>Festulolium</i> )	
(b) <i>Leguminosae</i>	<i>Legumes</i>	26/02/1969 – 69/63L – REPLACE
<i>Hedysarum coronarium</i> L.	Sulla	
<i>Lotus corniculatus</i> L.	Birdsfoot trefoil	
<i>Lupinus albus</i> L.	White lupin	17/04/1971 – 71/162L – REPLACE
<i>Lupinus angustifolius</i> L.	Blue lupin	
<i>Lupinus luteus</i> L.	Yellow lupin	
<i>Medicago lupulina</i> L.	Black medick	
<i>Medicago sativa</i> L.	Lucerne	
<u><i>Medicago</i> ☿ <i>varia</i> T. Martyn</u>	Lucerne	19/07/1979 – 79/641L – REPLACE 18/02/1987 – 87/120 – REPLACE
<i>Onobrychis viciifolia</i> Scop.	Sainfoin	
<i>Pisum sativum</i> L. (partim)	Field pea	
<i>Trifolium alexandrinum</i> L.	Berseem, Egyptian clover	
<i>Trifolium hybridum</i> L.	Alsike clover	
<i>Trifolium incarnatum</i> L.	Crimson clover	
<i>Trifolium pratense</i> L.	Red clover	
<i>Trifolium repens</i> L.	White clover	
<i>Trifolium resupinatum</i> L.	Persian clover	
<i>Trigonella foenum-graecum</i> L.	Fenugreek	19/07/1979 – 79/641L – REPLACE
<i>Vicia faba</i> L. (partim)	Field beans	
<i>Vicia pannonica</i> Crantz	Hungarian vetch	17/04/1971 – 71/162L – REPLACE
<i>Vicia sativa</i> L.	Common vetch	
<i>Vicia villosa</i> Roth	Hairy vetch	
(c) <i>Other species</i>		26/02/1969 – 69/63L – INSERT
<u><i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Rchb.</u>	Swede cabbage	18/02/1987 – 87/120 – REPLACE
<u><i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>medullosa</i> Thell. + var. <i>varidis</i> L.</u>	Fodder borecale kale	18/02/1987 – 87/120 – REPLACE

<i>Phacelia tanacetifolia</i> Benth.	California blue- bell	16/07/1988 – 88/380L – INSERT
<u><i>Raphanus sativus</i> L. var. <i>oleiformis</i> Pers.</u>	Fodder radish.	26/02/1969 – 69/63L – INSERT 18/02/1987 – 87/120 – REPLACE

B. Basic Seed:

1. Seed of bred varieties: seed

- (a) which has been produced under the responsibility of the breeder according to accepted practices for the maintenance of the variety;
- (b) which is intended for the production of seed of the category 'certified seed';
- (c) which, subject to the provisions of Article 4, satisfies the conditions laid down in Annexes I and II for basic seed; and
- (d) which has been found by official examination to satisfy the abovementioned conditions.

2. Seed of local varieties: seed

- (a) which has been produced under official control from material officially accepted as being of the local variety on one or more holdings situated within a clearly demarcated region of origin;
- (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 Annexes I and II for basic seed; and
- (d) which has been found by official examination to satisfy the abovementioned conditions.

C. Certified seed: seed

- (a) which is of direct descent from basic seed or certified seed, or, if the breeder so requests, from seed of a generation prior to basic seed which has been found by official examination to satisfy the conditions laid down in Annexes I and II for basic seed; 26/02/1969 – 69/63L – REPLACE
- (b) which is intended for the production of seed of the category 'certified seed' or of plants;
- (c) which, subject to the provisions of Article 4 (b), satisfies the conditions laid down in Annexes I and II for certified seed; and
- (d) which has been found by official examination to satisfy the abovementioned conditions.

D. Commercial seed: seed

- (a) Which is identifiable as belonging to a species;
- (b) which, subject to the provisions of Article 4 (b), satisfies the conditions laid down in Annex II for commercial seed; and
- (c) which has been found by official examination to satisfy the abovementioned conditions.

E. Official measures: measures taken

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

(c) in the case of ancillary activities which are also subject to State control, by any natural person duly sworn for that purpose,	
provided that the persons mentioned under (b) and (c) derive no private gain from such measures.	
F. Small EEC A packages: packages containing a mixture of seeds not intended for the production of fodder plants, with a net weight not exceeding 2 kg excluding, where appropriate, granulated pesticides, pelleting substances or other solid additives.	26/07/1975 – 75/444L – INSERT
G. Small EEC B packages: packages containing certified seed, commercial seed or – if the packages concerned are not small EEC A packages – a mixture of seeds with a net weight not exceeding 10 kg excluding, where appropriate, granulated pesticides, pelleting substances or other solid additives.	
1a. Amendments to be made to the list of species referred to in paragraph 1 (A) in the light of the development of scientific or technical knowledge concerning the <u>names</u> and hybrids resulting from the crossing of species covered by this Directive shall be adopted in accordance with the procedure laid down in Article 21.	20/01/1978 – 78/55L – INSERT 16/07/1988 – 88/380L – REPLACE
1b. The different types of varieties, including the components, eligible for certification under this Directive may be specified and defined in accordance with the procedure laid down in Article 21.	16/07/1988 – 88/380L – INSERT
<u>1c.</u> Member States may be authorized in accordance with the procedure laid down in Article 21 to permit, by way of derogation from paragraph 1 (C) (a), to be certified as certified seed seeds of self-pollinating or apomictic species which have been entered for certification as basic seed and which have been produced directly from a generation prior to basic seed but which has not been officially examined. This provision shall not apply to hybrid seeds. Certification as certified seed may only occur if this is requested by the applicant for certification with the agreement of the breeder and if an official post-control test based on samples taken officially and carried out at the latest during the growing season of the entered seeds shows that the seeds from the previous generation have met the requirements for basic seed in respect of varietal identity and purity. In this case the breeder shall, when the samples are taken, state the total area which has been under production of seed of the previous generation. These conditions may be amended in the light of development of scientific or technical knowledge in accordance with the procedure laid down in Article 21.	20/01/1978 – 78/55L – INSERT 16/07/1988 – 88/380L – <u>REPLACE</u>
Member States shall require that the official labels for seeds marketed in accordance with the authorization referred to in the first subparagraph be marked: 'passed for marketing in . . . (Member State concerned) only'; in addition Member States may require in this case that the official labels also be marked: 'intended for further multiplication only'.	

<p>1d. Member States may be authorized, in accordance with the procedure laid down in Article 21, not to apply in respect of the production of a given Member State the condition contained in Annex II, section I, point 2, paragraph B (1) for one or more of the species concerned, if it can be assumed from ecological conditions and previous experience that the standards laid down in Annex II, section I, point 2, column 13 of the table are being complied with.</p>	<p>13/08/1979 – 79/692L – INSERT 16/07/1988 – 88/380L – <u>REPLACE</u></p>
<p>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 seed certified as basic seed or certified seed in accordance with the principles of this Directive.</p>	<p>26/02/1969 – 69/63L – INSERT</p>
<p><i>Article 3</i></p>	
<p>1. The Member States shall provide that seed of:</p> <p><i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Rchb. <i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>medullosa</i> Thell. + var. <i>viridis</i> L. <i>Dactylis glomerata</i> L. <i>Festuca arundinacea</i> Schreber <i>Festuca pratensis</i> Hudson</p> <p><i>Festuca rubra</i> L. ⊕ <i>Festulolium</i></p> <p><i>Lolium multiflorum</i> Lam. <i>Lolium perenne</i> L. <u><i>Lolium</i> ⊕ <i>boucheanum</i> Kunth</u> <i>Phleum pratense</i> L. <i>Medicago sativa</i> L. <u><i>Medicago</i> ⊕ <i>varia</i> T. Martyn</u></p> <p><i>Pisum sativum</i> L.</p> <p><i>Raphanus sativus</i> L. var. <i>oleiformis</i> Pers. <i>Trifolium repens</i> L. and, as from 1 July 1971, seed of <i>Trifolium pratense</i> L. 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 II.</p>	<p>26/02/1969 – 69/63L – REPLACE 18/02/1987 – 87/120 – REPLACE</p> <p>18/02/1987 – 87/120 – REPLACE</p> <p>22/04/1992 – 92/19L – REPLACE</p> <p>17/04/1971 – 71/162L – REPLACE <u>18/02/1987 – 87/120 – REPLACE</u></p> <p>19/07/1979 – 79/641L – REPLACE <u>18/02/1987 – 87/120 – REPLACE</u></p> <p>18/02/1987 – 87/120 – REPLACE</p>
<p>1a. Until 31 December 1989 the Kingdom of Spain may be authorized, in accordance with the procedure laid down in Article 21, to provide for exceptions to paragraph 1 in the case of seed of <i>Medicago sativa</i>, <i>Brassica oleracea</i> convar. <i>acephala</i> and <i>Raphanus sativus</i>.</p>	<p>07/05/1986 – 86/155L – INSERT</p>

2. The Member States shall provide that fodder plant seed of genera and species other than those listed in paragraph 1 may not be placed on the market unless the seed has been officially certified as 'basic seed' or 'certified seed', or is commercial seed, and unless the seed also satisfies the conditions laid down in Annex II.

3. The Commission may, in accordance with the procedure laid down in Article 21, provide that after specified dates seed of genera and species of fodder plant other than those listed in paragraph 1 may not be placed on the market unless it has been officially certified as 'basic seed' or 'certified seed'.

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

5. Member States may provide for derogations from the provisions of paragraphs 1 and 2:

- (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) authorize the official certification and marketing of basic seed which does not satisfy the conditions laid down in Annex II in respect of germination; a similar derogation may also be granted in respect of certified seed of *Trifolium pratense* where such seed is intended for the further production of certified seed.

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

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

*Article 5*

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

*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.

17/04/1971 – 71/162L – REPLACE

*Article 7*

1. The Member States shall require that, for the checking of varieties, the examination of seed for certification and the examination of commercial seed, samples are drawn officially in accordance with appropriate methods.
2. For the examination of seed for certification and the examination of commercial seed, samples shall be drawn from homogeneous lots; the maximum weight of a lot and the minimum weight of a sample are given in Annex III.

*Article 8*

1. The Member States shall require that basic seed, certified seed and commercial seed be marketed only in sufficiently homogeneous lots and in sealed containers bearing, as prescribed in Article 9, 10 or 10a, 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.

26/07/1975 – 75/444L – REPLACE

*Article 9*

1. Member States shall require that packages of basic seed, certified seed and commercial seed, except where seed of the two latter categories takes the form of small EEC B 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 10 (1) or the package.

26/07/1975 – 75/444L – REPLACE

26/08/1978 – 78/692L – REPLACE

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 complies with the provisions of this paragraph.

2. Member States shall require that, except in the case of small EEC B packages, packages shall not be resealed on one or more occasions (SIC! occasions) unless this is done officially 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 10 (1).

26/08/1978 – 78/692L – INSERT

3. The Member States shall require that small EEC B 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.

26/08/1978 – 78/692L – REPLACE

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

#### *Article 10*

20/01/1978 – 78/55L – REPLACE

1. Member States shall require that packages of basic seed, certified seed and commercial seed, except where seed of the last two categories takes the form of small EEC B packages:

- (a) be labelled on the outside with an official label which has not previously (SIC! previously) been used, which satisfies the conditions laid down in Annex IV (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, blue for certified seed of the first generation after basic seed, red for certified seed of subsequent generations and brown for commercial 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 or certified seed does not satisfy the conditions laid down in Annex II in respect of germination, this fact shall be stated on the label. The use of official adhesive labels shall be authorized. In accordance with the procedure laid down in Article 21, the indelible printing under official supervision of the prescribed information on the package according to the label's model may be authorized;
- (b) contain an official document, in the same colour as the label, giving at least the information required under Annex IV (A) (1) (a) (3), (4) and (5) and, in the case of commercial seed, under (b) (2), (4) and (5). This document shall be drawn up in such a manner that it cannot be confused with the official label referred to under (a). This document is not necessary if the information is printed indelibly on the package or if, in accordance with the provisions under (a), an adhesive label or a label of non-tear material is used.

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'.

#### *Article 10a*

26/07/1975 – 75/444L – INSERT

1. Member States shall require that small EEC B packages:

- (a) bear on the outside in accordance with Annex IV (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; as regards the colour of the label, Article 10 (1) (a) shall apply;

(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, Article 10 (1) (a) shall apply as regards its colour; the methods of attaching the said serial number may be fixed in accordance with the procedure laid down under Article 21.

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

*Article 10b*

Member States may provide that, on request, small EEC B packages of certified seed and commercial seed are closed and marked officially or under official supervision according to Articles 9 (1) and 10.

20/01/1978 – 78/55L – REPLACE

*Article 10c*

The Member States shall take all measures necessary to ensure that, in the case of small packages of 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 shall be sealed officially or under official supervision.

*Article 11*

1. This Directive shall not affect the right of Member States to require that, in cases other than those provided for by this Directive, containers of basic seed, certified seed or commercial 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 or that seed lots complying with the special conditions concerning the presence of *Avena fatua* laid down according to the procedure provided for in Article 21, must be accompanied by an official certificate attesting compliance with these conditions.

16/07/1988 – 88/380L – INSERT

26/07/1975 – 75/444L – REPLACE

27/12/1973 – 73/438L – INSERT

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).

16/07/1988 – 88/380L – INSERT

*Article 12*

The Member States shall require that any chemical treatment of basic seed, certified seed or commercial seed be noted either on the official label or on the supplier's label and on the container or inside it.

*Article 13*

26/07/1975 – 75/444L – REPLACE

1. Member States shall require that fodder plant seed in the form of mixtures of seed of various genera, species or varieties or of mixtures containing seed of plants which are not fodder plants within the meaning of this Directive may only be marketed if they are not intended for the production of fodder plants and if the various components of the mixture complied, before mixing, with the marketing regulations applicable to them.

2. Notwithstanding paragraph 1, Member States may also authorize the marketing of fodder plant seed in the form of mixtures:

- if such mixtures are intended for the production of fodder plants, or
- if these mixtures contain seed of plant species for which Community provisions do not provide that they may be mixed with seed of fodder plants.

3. Articles 8, 9, 10b, 11 and 12 shall apply, and, providing, however, the label is green in colour, Articles 10 and 10a. For this purpose, small EEC A packages shall be considered small EEC B packages.

However, for small EEC A packages, the officially assigned serial number provided for in paragraph 1 (b) of Article 10 (a) shall not be required.

In applying paragraph 2, Member States may authorize derogations from this Directive for small packages as regards maximum quantities and the information to be provided when marking, if such packages are marked: 'Passed for marketing in . . . (Member State concerned) only'.

*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 procedure 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.

*Article 14*

1. Member States shall ensure that:

- basic seed and certified seed which has been officially certified and the packaging of which has been marked and closed officially or under official supervision, pursuant to this Directive,
- commercial seed which has been officially tested and the packaging of which has been marked and closed officially or under official supervision, pursuant to this Directive,
- certified seed which has been officially certified and officially tested commercial seed which take the form of small EEC B packages which have been marked and sealed pursuant to this Directive,
- seed in the form of mixtures, produced in accordance with this Directive and not intended for the production of fodder plants, whose packaging has been marked and sealed pursuant to this Directive,

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

2. Member States may:

- (a) where no measures have been taken by the Commission under Article 3 (3) and entered into force, provide that after specified dates seed of genera and species of fodder plant other than those listed in Article 3 (1) may not be placed on the market unless it has been officially certified as 'basic seed' or 'certified seed';

16/07/1988 – 88/380L – INSERT

26/07/1975 – 75/444L – REPLACE

20/01/1978 – 78/55L – REPLACE

20/01/1978 – 78/55L – REPLACE

- (b) adopt provisions concerning the maximum moisture content accepted for marketing;
- (c) restrict the marketing of certified fodder plant seed to that of the first generation after basic seed;
- (d) until such time, which should not be later than 1 January 1970, as a common catalogue of varieties can be introduced, restrict the marketing of fodder plant seed to those 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 varieties coming from other Member States as for domestic varieties.

3. Those Member States which have provided for exemptions in accordance with the provisions of Article 3 (5) (a) shall ensure that bred seed of generations prior to basic seed are subject to no marketing restrictions on account of their characters, examination arrangements, marking and sealing,

26/12/1972 – 72/418L – INSERT

- (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
- (c) if its containers bear an official label giving at least the following particulars:
  - certification authority and Member State or their distinguishing abbreviation
  - consignment reference number

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

26/08/1978 – 78/692L – INSERT

- species, indicated at least under its botanical name, which may be given in abridged form and without the authorities' names, in roman characters,
- variety, indicated at least in roman characters,
- the description 'pre-basic seed'
- number of generations of seed of the category 'certified seed' prior to the first reproduction.

26/12/1972 – 72/418L – INSERT  
16/07/1988 – 88/380L – REPLACE

The label shall be white with a diagonal purple line.

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

16/07/1988 – 88/380L – INSERT

*Article 15*

1. The Member States shall provide that fodder plant seed

16/07/1988 – 88/380L – REPLACE

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

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

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. 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 and labelled with an official label satisfying the conditions laid down in Annex V (A) and (B), in accordance with the provisions laid down in Article 9 (1), and
- be accompanied by an official document satisfying the conditions laid down in Annex V (C).

3. The Member States shall also provide that fodder plant seed

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

shall, on request, be officially certified as certified seed in any of those Member States where the basic seed or certified seed referred to above 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 II for the same category are satisfied. Other Member States may also authorize official certification of such seed.

#### *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;

<p>(b) fodder plant seed harvested in a third country and affording the same assurances as regards its characters and the arrangements for its examination, for ensuring identity, for marking and for control is equivalent in these respects to basic seed, certified seed or commercial seed harvested within the Community and complying with the provisions of this Directive.</p>	
<p>2. Member States may themselves take decisions under paragraph 1 concerning a third country, insofar as the Council has not yet taken a decision with regard to that country within the framework of this Directive. This right shall expire on <u>1 July 1978</u>.</p>	<p>27/12/1973 – 73/438L – REPLACE</p> <p>14/12/1978 – 78/1020L – REPLACE</p>
<p>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</p>	<p>29/07/1972 – 72/274L – INSERT</p>
<p>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.</p>	<p>17/12/1990 – 90/654L – INSERT</p>
<p><i>Article 17</i></p>	
<p>1. In order to remove any temporary difficulties in the general supply of basic seed, certified seed or commercial seed that occur in one or more Member States and cannot be overcome within the Community, one or more Member States may be authorized, according to 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 of varieties not included in the 'Common Catalogue of Varieties of Agricultural Plant Species' or in their national Catalogues of Varieties.</p>	<p>26/12/1972 – 72/418L – REPLACE</p>
<p>2. For a category of seed of any given variety, the official label shall be that provided for the corresponding category; in all other cases it shall be that provided for commercial seed. The label shall always state that the seed in question is of a category satisfying less stringent requirements.</p>	
<p>3. Rules for the application of paragraph 1 may be adopted in accordance with the procedure laid down in Article 21.</p>	<p>17/06/1988 – 88/332L – INSERT</p>
<p><i>Article 18</i></p>	
<p>This Directive shall not apply to fodder plant seed shown to be intended for export to third countries.</p>	
<p><i>Article 19</i></p>	
<p><u>1.</u> The Member States shall make suitable arrangements for fodder plant seed to be officially controlled during marketing, at least by check sampling, as regards its compliance with the requirements of this Directive.</p>	<p>26/12/1972 – 72/418L – INSERT</p>
<p>2. The Member States shall take all necessary measures to ensure that the following particulars are presented during the marketing of quantities exceeding 2 kg of seed coming from another Member State or from a third country:</p>	<p>26/12/1972 – 72/418L – INSERT</p>
<p>(a) species</p>	
<p>(b) variety</p>	

- (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.

#### *Article 20*

1. Community comparative tests shall be carried out within the Community for the post-control of samples of basic seed, with the exception of that of hybrid or synthetic varieties, and of certified seed of fodder plants, 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.

17/04/1971 – 71/162L – REPLACE

2. These comparative tests shall, during a first stage, be used to 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 12, 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. Fodder plant 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<sup>(1)</sup>.

2. Within the Committee, (SIC! 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 54 votes

31/12/1985 – 3765/85 R – REPLACE

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.

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

*Article 21a*

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.

17/04/1971 – 71/162L – INSERT

27/12/1973 – 73/438L – REPLACE

*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.

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

17/12/1990 – 90/654L – INSERT

- 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 8 (2), in the case of the restriction to 'small quantities' for seed of *Pisum sativum* L. (partim) and *Vicia faba* L. (partim);
- 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 third indent and not later than 31 December 1994 in respect of the other indents.

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

*Article 23a*

26/02/1969 – 69/63L – INSERT

Upon application by a Member State, which will be dealt with as provided in Article 21, that State may be wholly or partially released from the obligation to apply this Directive in respect of certain species if seed of those species is not normally reproduced or marketed in its territory.

*Article 24*

This Directive is addressed to the Member States.

ANNEX I

CONDITIONS TO BE SATISFIED BY THE CROP

1. The previous cropping of the field shall not have been incompatible with the production of seeds of the species and variety of the crop, and the field shall be sufficiently free from such plants which are volunteers from previous cropping.
2. The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable (SIC! undesirable) foreign pollination:

Crop	Minimum distance
1	2
<i>Brassica</i> spp., <u><i>Phacelia tanacetifolia</i></u>	
— for the production of basic seed	400 m
— for the production of certified seed	200 m
Species or varieties other than <i>Brassica</i> spp., <u><i>Phacelia tanacetifolia</i></u> , <u><i>Pisum sativum</i></u> , varieties of <u><i>Poa pratensis</i></u> referred to in the second part of the third sentence of paragraph 4:	
— for the production of seed intended for multiplication, fields up to two hectares	200 m
— for the production of seed intended for multiplication, fields over two hectares	100 m
— for the production of seed intended for the production of fodder plants, fields up to two hectares	100 m
— for the production of seed intended for the production of fodder plants, fields over two hectares	50 m

These distances can be disregarded if there is sufficient protection from any undesirable (SIC! undesirable) foreign pollination.

3. Plants of other species, the seeds of which are difficult to distinguish from the crop seeds in a laboratory test, shall be at a low level.  
In particular, crops of *lolium* species or *Festulolium* shall conform to the following conditions: the number of plants of a *lolium* species or *Festulolium* other than the crop species shall not exceed:
  - one per 50 m<sup>2</sup> for the production of basic seed,
  - one per 10 m<sup>2</sup> for the production of certified seed.
4. The crop shall have sufficient varietal identity and varietal purity. In particular, crops other than those of the species *Pisum sativum*, *Vicia faba*, *Brassica napus* var. *napobrassica*, *Brassica oleracea* convar. *acephala*, *Raphanus sativus* ssp. *oleiferus* or of *Poa pratensis* shall conform to the following standards: 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 m<sup>2</sup> for the production of basic seed,
  - one per 10 m<sup>2</sup> for the production of certified seed.

In the case of *Poa pratensis*, the number of plants of the crop species which are recognizable as obviously not being true to the variety shall not exceed:

- one per 20 m<sup>2</sup> for the production of basic seed,
- four per 10 m<sup>2</sup> for the production of certified seed;

25/04/1978 – 78/386L – REPLACE

16/07/1988 – 88/380L – INSERT

16/07/1988 – 88/380L – INSERT  
19/07/1979 – 79/641 – REPLACE  
19/01/1985 – 85/38L – REPLACE

22/04/1992 – 92/19L – INSERT

12/03/1981 – 81/126L – REPLACE  
13/05/1982 – 82/287L – INSERT  
13/05/1982 – 82/287L – DELETE  
19/01/1985 – 85/38L – REPLACE

19/01/1985 – 85/38L – INSERT

however, in the case of varieties which are officially classified as 'apomictic uni-clonal varieties' under agreed procedures, a number of plants recognizable as not being true to the variety, which does not exceed six per 10 m<sup>2</sup>, may be regarded as satisfying the beforementioned standards for the production of certified seed. Upon application, a Member State may be authorized, in accordance with the procedure laid down in Article 21, to assess the satisfaction of the varietal purity standards in the case of crops of *Poa pratensis* belonging to such varieties not only on the basis of the results of the field inspection carried out in accordance with paragraph 6 of Annex I, where there is evidence that compliance with the varietal purity standards set up in Annex II is ensured by appropriate seed testing or other appropriate means.

In the case of the species *Pisum sativum*, *Vicia faba*, *Brassica napus* var. *napobrassica*, *Brassica oleracea* convar. *acephala*, ~~*Raphanus sativus* spp. *oleifera* and of apomictic uni-clonal varieties of *Poa* spp.~~ only the first sentence is applicable.

12/03/1981 – 81/126L – INSERT  
 13/05/1982 – 82/287L – INSERT  
 13/05/1982 – 82/287L – DELETE  
 19/01/1985 – 85/38L – DELETE

5. Harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level.
6. The satisfaction of the abovementioned standards or other conditions shall be examined in official field inspections.  
 These field inspections shall be carried out in accordance with the following conditions:
  - A. The condition and the stage of development of the crop shall permit an adequate examination.
  - B. There shall be at least one field inspection.
  - C. The size, the number and the distribution of the portions of the field to be inspected in order to examine the satisfaction of the provisions of this Annex shall be determined in accordance with appropriate methods.

25/04/1978 – 78/386L – REPLACE

#### ANNEX II

#### CONDITIONS TO BE SATISFIED BY THE SEED

##### I. CERTIFIED SEED

1. The seed shall have sufficient varietal identity and purity.  
 In particular, the seeds of the species listed below shall conform to the following standards or other conditions. The minimum varietal purity shall be:
  - *Poa pratensis* varieties referred to in the second part of the third sentence of paragraph 4 of Annex I: 98%
  - *Pisum sativum*, *Vicia faba*, *Brassica napus* var. *napobrassica*, *Brassica oleracea* convar. *acephala*:
    - certified seed, 1st generation: 99%,
    - certified seed, 2nd and subsequent generations: 98%.
 The minimum varietal purity shall be examined mainly in field inspections carried out in accordance with the conditions laid down in Annex I.
  2. The seed shall conform to the following standards or other conditions as regards germination, analytical purity and content of seeds of other plant species, including Lupin seeds of another colour and of bitter Lupin seeds:
    - A. Table:

25/04/1978 – 78/386L – REPLACE

13/05/1982 – 82/287L – REPLACE

19/01/1985 – 85/38L – REPLACE

Species	Germination		Analytical purity				
	Minimum germination (% of pure seed)	Maximum content of hard seed (% of pure seed)	Minimum analytical purity (% by weight)	Maximum content of seeds of other plant species (% by weight)			
				Total	A single species	<i>Agropyron repens</i>	
1	2	3	4	5	6	7	
<b>GRAMINEAE</b>							
<i>Agrostis canina</i>	75 (a)		90	2,0	1,0	0,3	19/07/1979 – 79/641L – REPLACE
<i>Agrostis gigantea</i>	80 (a)		90	2,0	1,0	0,3	
<i>Agrostis stolonifera</i>	75 (a)		90	2,0	1,0	0,3	18/02/1987 – 87/120L – REPLACE
<i>Agrostis capillaris</i>	75 (a)		90	2,0	1,0	0,3	
<i>Alopecurus pratensis</i>	70 (a)		75	2,5	1,0 (f)	0,3	10/02/1989 – 89/100L – INSERT
<i>Arrhenatherum elatius</i>	75 (a)		90	3,0	1,0 (f)	0,5	
<i>Bromus catharticus</i>	75 (a)		97	1,5	1,0	0,5	16/07/1988 – 88/380L – INSERT
<i>Bromus sitchensis</i>	75 (a)		97	1,5	1,0	0,5	
<i>Cynodon dactylon</i>	70 (a)		90	2,0	1,0	0,3	07/05/1986 – 86/155L – INSERT
<i>Dactylis glomerata</i>	80 (a)		90	1,5	1,0	0,3	
<i>Festuca arundinacea</i>	80 (a)		95	1,5	1,0	0,5	
<i>Festuca ovina</i>	75 (a)		85	2,0	1,0	0,5	
<i>Festuca pratensis</i>	80 (a)		95	1,5	1,0	0,5	
<i>Festuca rubra</i>	75 (a)		90	1,5	1,0	0,5	
♣ <i>Festulolium</i>	75 (a)		96	1,5	1,0	0,5	22/04/1992 – 92/19L – INSERT
<i>Lolium multiflorum</i>	75 (a)		96	1,5	1,0	0,5	
<i>Lolium perenne</i>	80 (a)		96	1,5	1,0	0,5	
<i>Lolium</i> ♣ <i>boucheanum</i>	75 (a)		96	1,5	1,0	0,5	18/02/1987 – 87/120L – REPLACE
<i>Phalaris aquatica</i> L.	75 (a)		96	1,5	1,0	0,3	07/05/1986 – 86/155L – INSERT
<i>Phleum bertolonii</i>	80 (a)		96	1,5	1,0	0,3	
<i>Phleum pratense</i>	80 (a)		96	1,5	1,0	0,3	
<i>Poa annua</i>	75 (a)		85	2,0 (c)	1,0 (c)	0,3	
<i>Poa nemoralis</i>	75 (a)		85	2,0 (c)	1,0 (c)	0,3	
<i>Poa palustris</i>	75 (a)		85	2,0 (c)	1,0 (c)	0,3	
<i>Poa pratensis</i>	75 (a)		85	2,0 (c)	1,0 (c)	0,3	
<i>Poa trivialis</i>	75 (a)		85	2,0 (c)	1,0 (c)	0,3	
<i>Trisetum flavescens</i>	70 (a)		75	3,0	1,0 (f)	0,3	
<b>LEGUMINOSAE</b>							
<i>Hedysarum coronarium</i>	75 (a) (b)	30	95	2,5	1,0		
<i>Lotus corniculatus</i>	75 (a) (b)	40	95	1,8 (d)	1,0 (d)		
<i>Lupinus albus</i>	80 (a) (b)	20	98	0,5 (e)	0,3 (e)		
<i>Lupinus angustifolius</i>	75 (a) (b)	20	98	0,5 (e)	0,3 (e)		

Analytical purity				Maximum content of seeds of other plant species in a sample of the weight specified in column 4 of Annex III (total per column)			Conditions as regards content of Lupin seeds of another colour and of bitter Lupin seeds
Maximum content of seeds of other plant species (% by weight)							
<i>Alopecurus myosuroides</i>	<i>Melilotus</i> spp.	<i>Raphanus raphanistrum</i>	<i>Sinapis arvensis</i>	<i>Avena fatua</i> , <i>Avena ludoviciana</i> , <i>Avena sterilis</i>	<i>Cuscuta</i> spp.	<u><i>Rumex</i> spp. other than <i>Rumex acetosella</i> and <i>Rumex maritimus</i></u>	
8	9	10	11	12	13	14	15
							09/08/1980 – 80/754L – REPLACE
0,3				0	0 (j) (k)	<u>2 (n)</u>	12/03/1981 – 81/126L – INSERT
0,3				0	0 (j) (k)	<u>2 (n)</u>	12/03/1981 – 81/126L – INSERT
0,3				0	0 (j) (k)	<u>2 (n)</u>	12/03/1981 – 81/126L – INSERT
0,3				0	0 (j) (k)	<u>2 (n)</u>	12/03/1981 – 81/126L – INSERT
0,3				0	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0 (g)	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0 (g)	0 (j) (k)	10 (n)	16/07/1988 – 88/380L – INSERT
0,3				0 (g)	0 (j) (k)	10 (n)	
0,3				0	0 (j) (k)	2	07/05/1986 – 86/155L – INSERT
0,3				0	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0	0 (j) (k)	5 (n)	22/04/1992 – 92/19L – INSERT
0,3				0	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0	0 (j) (k)	<u>5 (n)</u>	26/09/1987 – 87/480L – REPLACE
0,3				0	0 (j) (k)	<u>5</u>	07/05/1986 – 86/155L – INSERT 26/09/1987 – 87/480L – REPLACE
0,3				0	0 (k)	5	
0,3				0	0 (k)	5	
0,3				0	0 (j) (k)	<u>5 (n)</u>	12/03/1981 – 81/126L – INSERT
0,3				0	0 (j) (k)	<u>2 (n)</u>	12/03/1981 – 81/126L – INSERT
0,3				0	0 (j) (k)	<u>2 (n)</u>	12/03/1981 – 81/126L – INSERT
0,3				0	0 (j) (k)	<u>2 (n)</u>	12/03/1981 – 81/126L – INSERT
0,3				0	0 (j) (k)	<u>2 (n)</u>	12/03/1981 – 81/126L – INSERT
0,3				0	0 (j) (k)	<u>2 (n)</u>	12/03/1981 – 81/126L – INSERT
0,3				0 (h)	0 (j) (k)	<u>2 (n)</u>	12/03/1981 – 81/126L – INSERT
	0,3			0	0 (k)	5	26/09/1987 – 87/480L – REPLACE
	0,3			0	0 (l) (m)	10	
	0,3			0 (i)	0 (j)	<u>5 (n)</u>	(o) (p) 26/09/1987 – 87/480L – REPLACE
	0,3			0 (i)	0 (j)	<u>5 (n)</u>	(o) (p) 26/09/1987 – 87/480L – REPLACE

Species	Germination		Analytical purity			
	Minimum germination (% of pure seed)	Maximum content of hard seed (% of pure seed)	Minimum analytical purity (% by weight)	Maximum content of seeds of other plant species (% by weight)		
				Total	A single species	<i>Agropyron repens</i>
1	2	3	4	5	6	7
<i>Lupinus luteus</i>	80 (a) (b)	20	98	0,5 (e)	0,3 (e)	
<i>Medicago lupulina</i>	80 (a) (b)	20	97	1,5	1,0	
<i>Medicago sativa</i>	80 (a) (b)	40	97	1,5	1,0	
<u><i>Medicago</i> <math>\Phi</math> <i>varia</i></u>	80 (a) (b)	40	97	1,5	1,0	19/07/1979 – 79/641L – REPLACE
<u><i>Onobrychis viciifolia</i></u>	75 (a) (b)	20	95	2,5	1,0	19/07/1979 – 79/641L – REPLACE
<u><i>Pisum sativum</i></u>	80 (a)		98	0,5	0,3	19/07/1979 – 79/641L – REPLACE
<i>Trifolium alexandrinum</i>	80 (a) (b)	20	97	1,5	1,0	
<i>Trifolium hybridum</i>	80 (a) (b)	20	97	1,5	1,0	
<i>Trifolium incarnatum</i>	75 (a) (b)	20	97	1,5	1,0	
<i>Trifolium pratense</i>	80 (a) (b)	20	97	1,5	1,0	
<i>Trifolium repens</i>	80 (a) (b)	40	97	1,5	1,0	
<i>Trifolium resupinatum</i>	80 (a) (b)	20	97	1,5	1,0	
<i>Trigonella foenumgraecum</i>	80 (a)		95	1,0	0,5	
<u><i>Vicia faba</i></u>	85 (a) (b)	5	98	0,5	0,3	19/07/1979 – 79/641L – REPLACE
<i>Vicia pannonica</i>	85 (a) (b)	20	98	1,0 (e)	0,5 (e)	
<i>Vicia sativa</i>	85 (a) (b)	20	98	1,0 (e)	0,5 (e)	
<i>Vicia villosa</i>	85 (a) (b)	20	98	1,0 (e)	0,5 (e)	
OTHER SPECIES						
<i>Brassica napus</i> var. <i>napobrassica</i>	80 (a)		98	1,0	0,5	
<i>Brassica oleracea</i> con-var. <i>acephala</i> (SIC! <i>acephala</i> var. <i>medullosa</i> + var. <i>viridis</i> )	75 (a)		98	1,0	0,5	
<i>Phacelia tanacetifolia</i>	80 (a)		96	1,0	0,5	16/07/1988 – 88/380L – INSERT
<u><i>Raphanus sativus</i> var. <i>oleiformis</i></u>	80 (a)		97	1,0	0,5	18/02/1987 – 87/120L – REPLACE

Analytical purity				Maximum content of seeds of other plant species in a sample of the weight specified in column 4 of Annex III (total per column)			Conditions as regards content of Lupin seeds of another colour and of bitter Lupin seeds	
Maximum content of seeds of other plant species (% by weight)								
<i>Alopecurus myosuroides</i>	<i>Melilotus</i> spp.	<i>Raphanus raphanistrum</i>	<i>Sinapis arvensis</i>	<i>Avena fatua</i> , <i>Avena ludoviciana</i> , <i>Avena sterilis</i>	<i>Cuscuta</i> spp.	<i>Rumex</i> spp. other than <i>Rumex acetosella</i> and <i>Rumex maritimus</i>		
8	9	10	11	12	13	14	15	
	0,3			0 (i)	0 (j)	<u>5 (n)</u>	(o) (p)	09/08/1980 – 80/754L – REPLACE
	0,3			0	0 (l) (m)	<u>10</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0	0 (l) (m)	<u>10</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0	0 (l) (m)	<u>10</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0	0 (j)	<u>5</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0	0 (j)	<u>5 (n)</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0	0 (l) (m)	<u>10</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0	0 (l) (m)	10		
	0,3			0	0 (l) (m)	<u>10</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0	0 (l) (m)	<u>10</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0	0 (l) (m)	10		
	0,3			0	0 (l) (m)	10		
	0,3			0	0 (j)	<u>5</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0	0 (j)	<u>5 (n)</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0 (i)	0 (j)	<u>5 (n)</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0 (i)	0 (j)	<u>5 (n)</u>		26/09/1987 – 87/480L – REPLACE
	0,3			0 (i)	0 (j)	<u>5 (n)</u>		26/09/1987 – 87/480L – REPLACE
		0,3	0,3	0	0 (j) (k)	<u>5</u>		26/09/1987 – 87/480L – REPLACE
		0,3	0,3	0	0 (j) (k)	<u>10</u>		26/09/1987 – 87/480L – REPLACE
		0,3	0,3	0	0 (j) (k)	<u>5</u>		16/07/1988 – 88/380L – INSERT
				0	0 (j)			26/09/1987 – 87/480L – REPLACE

- B. Standards or other conditions applicable where reference is made to them in the table under Section I (2) (A) of this Annex:
- (a) All fresh and healthy seeds which do not germinate after pre-treatment shall be regarded as seeds which have germinated.
  - (b) Up to the maximum quantity indicated, hard seed present shall be regarded as seed capable of germination.
  - (c) A maximum total of 0,8% by weight of seeds of other *Poa* species shall not be regarded as an impurity.
  - (d) A maximum of 1% by weight of seeds of *Trifolium pratense* shall not be regarded as an impurity.
  - (e) A maximum total of 0,5% by weight of seeds of *Lupinus albus*, *Lupinus angustifolius*, *Lupinus luteus*, *Pisum sativum*, *Vicia faba*, *Vicia pannonica*, *Vicia sativa*, *Vicia villosa* in an other (SIC! another) relevant species shall not be regarded as an impurity.
  - (f) The prescribed maximum percentage by weight of seeds of a single species shall not apply to seeds of *Poa* spp.
  - (g) A maximum total of two seeds of *Avena fatua*, *Avena ludoviciana*, *Avena sterilis* in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of the same weight is free from any seeds of these species.
  - (h) The presence of one seed of *Avena fatua*, *Avena ludoviciana*, *Avena sterilis* in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of twice the prescribed weight is free from any seeds of these species.
  - (i) The determination of seeds of *Avena fatua*, *Avena ludoviciana*, *Avena sterilis* by number need not be carried out unless there is doubt whether the conditions laid down in column 12 have been satisfied.
  - (j) The determination of seeds of *Cuscuta* spp. by number need not be carried out unless there is doubt whether the conditions laid down in column 13 have been satisfied.
  - (k) The presence of one seed of *Cuscuta* spp. in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of the same weight is free from any seeds of *Cuscuta* spp.
  - (l) The weight of the sample for the determination of seeds of *Cuscuta* spp. by number shall be twice the weight specified in column 4 of Annex III for the relevant species.
  - (m) The presence of one seed of *Cuscuta* spp. in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of twice the prescribed weight is free from any seeds of *Cuscuta* spp.
  - (n) The determination of seeds of *Rumex* spp. other than *Rumex acetosella* and *Rumex maritimus* by number need not be carried out unless there is doubt whether the conditions laid down in column 14 have been satisfied.
  - (o) The percentage by number of Lupin seeds of another colour shall not exceed:
 

— in bitter Lupin,	2%
— in Lupins other than bitter Lupin,	1%
  - (p) The percentage by number of bitter Lupin seeds in varieties other than bitter Lupin shall not exceed 2,5 %.
3. Harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level.

19/07/1979 – 79/641L – REPLACE

09/08/1980 – 80/754L – REPLACE

18/02/1987 – 87/120L – INSERT

18/02/1987 – 87/120L – DELETE

## II. BASIC SEED

Subject to the provisions below, the conditions laid down in Section I of this Annex shall apply to basic seed:

1. The seed of *Pisum sativum*, *Brassica napus* var. *napobrassica*, *Brassica oleracea* conv. *acephala*, *Vicia faba* and of varieties of *Poa pratensis* referred to in the ~~second part of the third sentence of paragraph 4 of Annex I~~ shall conform to the following standards or other conditions: the minimum varietal purity shall be 99,7%.

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

2. The seed shall satisfy the following standards or other conditions:

A. Table:

19/01/1985 – 85/38L – REPLACE

Species	Maximum content of seed of other plant species						Other standards or conditions
	Total (% by weight)	Content by number in a sample of the weight specified in column 4 of Annex III (total per column)					
		A single species	<u>Rumex spp. other than Rumex acetosella and Rumex maritimus</u>	<i>Agropyron repens</i>	<i>Alopecurus myosuroides</i>	<i>Melilotus</i> spp.	
1	2	3	4	5	6	7	8
<i>GRAMINEAE</i>							
<i>Agrostis canina</i>	0,3	20	1	1	1		(j) 19/07/1979 – 79/641L – REPLACE
<i>Agrostis gigantea</i>	0,3	20	1	1	1		(j)
<i>Agrostis stolonifera</i>	0,3	20	1	1	1		(j)
<i>Agrostis capillaris</i>	0,3	20	1	1	1		(j) 18/02/1987 – 87/120L – REPLACE
<i>Alopecurus pratensis</i>	0,3	20 (a)	<u>2</u>	5	5		(j) 26/09/1987 – 87/480L – REPLACE
<i>Arrhenatherum elatius</i>	0,3	20 (a)	<u>2</u>	5	5		(i) (j) 26/09/1987 – 87/480L – REPLACE
<i>Bromus catharticus</i>	0,4	20	5	5	5		(j) 16/07/1988 – 88/380L – INSERT
<i>Bromus sitchensis</i>	0,4	20	5	5	5		(j)
<i>Cynodon dactylon</i>	0,3	20 (a)	1	1	1		(j) 07/05/1986 – 86/155L – INSERT
<i>Dactylis glomerata</i>	0,3	20 (a)	<u>2</u>	5	5		(j) 26/09/1987 – 87/480L – REPLACE
<i>Festuca arundinacea</i>	0,3	20 (a)	<u>2</u>	5	5		(j) 26/09/1987 – 87/480L – REPLACE
<i>Festuca ovina</i>	0,3	20 (a)	<u>2</u>	5	5		(j) 26/09/1987 – 87/480L – REPLACE
<i>Festuca pratensis</i>	0,3	20 (a)	<u>2</u>	5	5		(j) 26/09/1987 – 87/480L – REPLACE
<i>Festuca rubra</i>	0,3	20 (a)	<u>2</u>	5	5		(j) 26/09/1987 – 87/480L – REPLACE

Species	Maximum content of seed of other plant species						Other standards or conditions	
	Total (% by weight)	Content by number in a sample of the weight specified in column 4 of Annex III (total per column)						
		A single species	<u>Rumex spp. other than Rumex acetosella and Rumex maritimus</u>	<i>Agropyron repens</i>	<i>Alopecurus myosuroides</i>	<i>Melilotus</i> spp.		
1	2	3	4	5	6	7	8	
☉ <i>Festulolium</i>	0,3	20 (a)	2	5	5		(j)	09/08/1980 – 80/754L – REPLACE
<i>Lolium multiflorum</i>	0,3	20 (a)	<u>2</u>	5	5		(j)	22/04/1992 – 92/19L – INSERT
<i>Lolium perenne</i>	0,3	20 (a)	<u>2</u>	5	5		(j)	26/09/1987 – 87/480L – REPLACE
<u><i>Lolium</i> ☉ <i>boucheanum</i></u>	0,3	20 (a)	<u>2</u>	5	5		(j)	26/09/1987 – 87/480L – REPLACE
<i>Phalaris aquatica</i> L.	0,3	20	<u>2</u>	5	5		(j)	18/02/1987 – 87/120L – REPLACE
<i>Phleum bertolonii</i>	0,3	20	2	1	1		(j)	26/09/1987 – 87/480L – REPLACE
<i>Phleum pratense</i>	0,3	20	2	1	1		(j)	07/05/1988 – 88/155L – INSERT
<i>Poa annua</i>	0,3	20 (b)	1	1	1		(f) (j)	26/09/1987 – 87/480L – REPLACE
<i>Poa nemoralis</i>	0,3	20 (b)	1	1	1		(f) (j)	
<i>Poa palustris</i>	0,3	20 (b)	1	1	1		(f) (j)	
<i>Poa pratensis</i>	0,3	20 (b)	1	1	1		(f) (j)	
<i>Poa trivialis</i>	0,3	20 (b)	1	1	1		(f) (j)	
<i>Trisetum flavescens</i>	0,3	20 (c)	1	1	1		(i) (j)	
<b>LEGUMINOSAE</b>								
<i>Hedysarum coronarium</i>	0,3	20	<u>2</u>			0 (e)	(j)	26/09/1987 – 87/480L – REPLACE
<i>Lotus corniculatus</i>	0,3	20	<u>3</u>			0 (e)	(g) (j)	26/09/1987 – 87/480L – REPLACE

Species	Maximum content of seed of other plant species						Other standards or conditions	
	Total (% by weight)	Content by number in a sample of the weight specified in column 4 of Annex III (total per column)						
		A single species	<u>Rumex spp. other than Rumex acetosella and Rumex maritimus</u>	<i>Agropyron repens</i>	<i>Alopecurus myosuroides</i>	<i>Melilotus</i> spp.		
1	2	3	4	5	6	7	8	
<i>Lupinus albus</i>	0,3	20	<u>2</u>			0 (d)	(h) (k)	09/08/1980 – 80/754L – REPLACE
<i>Lupinus angustifolius</i>	0,3	20	<u>2</u>			0 (d)	(h) (k)	26/09/1987 – 87/480L – REPLACE
<i>Lupinus luteus</i>	0,3	20	<u>2</u>			0 (d)	(h) (k)	26/09/1987 – 87/480L – REPLACE
<i>Medicago lupulina</i>	0,3	20	5			0 (e)	(j)	
<i>Medicago sativa</i>	0,3	20	<u>3</u>			0 (e)	(j)	26/09/1987 – 87/480L – REPLACE
<u><i>Medicago C varia</i></u>	0,3	20	<u>3</u>			0 (e)	(j)	19/07/1979 – 79/641L – REPLACE 26/09/1987 – 87/480L – REPLACE
<u><i>Onobrychis viciifolia</i></u>	0,3	20	<u>2</u>			0 (d)		19/07/1979 – 79/641L – REPLACE 26/09/1987 – 87/480L – REPLACE
<u><i>Pisum sativum</i></u>	0,3	20	<u>2</u>			0 (d)		19/07/1979 – 79/641L – REPLACE 26/09/1987 – 87/480L – REPLACE
<i>Trifolium alexandrinum</i>	0,3	20	<u>3</u>			0 (e)	(j)	26/09/1987 – 87/480L – REPLACE
<i>Trifolium hybridum</i>	0,3	20	<u>3</u>			0 (e)	(j)	26/09/1987 – 87/480L – REPLACE
<i>Trifolium incarnatum</i>	0,3	20	<u>3</u>			0 (e)	(j)	26/09/1987 – 87/480L – REPLACE
<i>Trifolium pratense</i>	0,3	20	5			0 (e)	(j)	
<i>Trifolium repens</i>	0,3	20	5			0 (e)	(j)	
<i>Trifolium resupinatum</i>	0,3	20	<u>3</u>			0 (e)	(j)	26/09/1987 – 87/480L – REPLACE

Species	Maximum content of seed of other plant species						Other standards or conditions
	Total (% by weight)	Content by number in a sample of the weight specified in column 4 of Annex III (total per column)					
		A single species	<u>Rumex spp. other than Rumex acetosella and Rumex maritimus</u>	<i>Agropyron repens</i>	<i>Alopecurus myosuroides</i>	<i>Melilotus</i> spp.	
1	2	3	4	5	6	7	8
<i>Trigonella foenumgraecum</i>	0,3	20	<u>2</u>			0 (d)	26/09/1987 – 87/480L – REPLACE
<u><i>Vicia faba</i></u>	0,3	20	<u>2</u>			0 (d)	19/07/1979 – 79/641L – REPLACE 26/09/1987 – 87/480L – <u>REPLACE</u>
<i>Vicia pannonica</i>	0,3	20	<u>2</u>			0 (d)	(h) 26/09/1987 – 87/480L – REPLACE
<i>Vicia sativa</i>	0,3	20	<u>2</u>			0 (d)	(h) 26/09/1987 – 87/480L – REPLACE
<i>Vicia villosa</i>	0,3	20	<u>2</u>			0 (d)	(h) 26/09/1987 – 87/480L – REPLACE
OTHER SPECIES							
<i>Brassica napus</i> var. <i>napobrassica</i>	0,3	20	<u>2</u>				(j) 26/09/1987 – 87/480L – REPLACE
<i>Brassica oleracea</i> convar. <i>acephala</i> (SIC! <i>acephala</i> var. <i>medullosa</i> + var. <i>viridis</i> )	0,3	20	<u>3</u>				(j) 26/09/1987 – 87/480L – REPLACE
<i>Phacelia tanacetifolia</i>	0,3	20					16/07/1988 – 88/380L – INSERT
<i>Raphanus sativus</i> var. <u><i>oleiformis</i></u>	0,3	20	<u>2</u>				18/02/1987 – 87/120L – REPLACE 26/09/1987 – 87/480L – <u>REPLACE</u>

09/08/1980 – 80/754L – REPLACE

26/09/1987 – 87/480L – REPLACE

19/07/1979 – 79/641L – REPLACE  
26/09/1987 – 87/480L – REPLACE

(h) 26/09/1987 – 87/480L – REPLACE

(h) 26/09/1987 – 87/480L – REPLACE

(h) 26/09/1987 – 87/480L – REPLACE

(j) 26/09/1987 – 87/480L – REPLACE

(j) 26/09/1987 – 87/480L – REPLACE

16/07/1988 – 88/380L – INSERT

18/02/1987 – 87/120L – REPLACE

26/09/1987 – 87/480L – REPLACE

- B. Standard or other conditions applicable where reference is made to them in the table under Section II (2) (A) of this Annex:
- (a) A maximum total of 80 seeds of *Poa* spp. shall not be regarded as an impurity.
  - (b) The condition laid down in column 3 is not applicable to the seeds of *Poa* spp. The maximum total content of seeds of *Poa* spp other than the species to be examined shall not exceed one in a sample of 500 seeds.
  - (c) A maximum total of 20 seeds of *Poa* spp. shall not be regarded as an impurity.
  - (d) The determination of seeds of *Melilotus* spp. by number need not be carried out unless there is doubt whether the conditions laid down in column 7 have been satisfied.
  - (e) The presence of one seed of *Melilotus* spp. in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of twice the prescribed weight is free from any seeds of *Melilotus* spp.
  - (f) The condition (c) laid down in Section I (2) of this Annex is not applicable.
  - (g) The condition (d) laid down in Section I (2) of this Annex is not applicable.
  - (h) The condition (e) laid down in Section I (2) of this Annex is not applicable.
  - (i) The condition (f) laid down in Section I (2) of this Annex is not applicable.
  - (j) The conditions (k) and (m) laid down in Section I (2) of this Annex are not applicable.
  - (k) The percentage by number of bitter Lupin seeds in varieties other than bitter Lupin shall not exceed 1%.

### III. COMMERCIAL SEED

Subject to the provisions below, the conditions laid down in Section I (2) and (3) of this Annex shall apply to commercial seed:

1. The percentages by weight laid down in columns 5 and 6 of the table under Section I (2) (A) of this Annex are increased by 1%.
2. In *Poa annua* a maximum total of 10% by weight of seeds of other *Poa* species shall not be regarded as an impurity.
3. In *Poa* spp. other than *Poa annua* a maximum total of 3% by weight of seeds of other *Poa* species shall not be regarded as an impurity.
4. In *Hedisarum coronarium* a maximum total of 1% by weight of seeds of *Melilotus* spp. shall not be regarded as an impurity.
5. The condition (d) laid down in Section I (2) of this Annex for *Lotus corniculatus* is not applicable.
6. In Lupin species:
  - (a) the minimum analytical purity shall be 97% by weight;
  - (b) the percentage by number of Lupin seeds of another colour shall not exceed:
 

— in bitter Lupin,	4%
— in Lupins other than bitter Lupin,	2%
7. In *Vicia* spp. a maximum total of 6% by weight of seeds of *Vicia pannonica*, *Vicia villosa* or related cultivated species in another relevant species shall be not regarded as an impurity.
8. In *Vicia pannonica*, *Vicia sativa*, *Vicia villosa* the minimum analytical purity shall be 97% by the weight.

18/02/1987 – 87/120L – DELETE

ANNEX III  
LOT AND SAMPLE WEIGHTS

25/04/1978 – 78/386L – REPLACE

Species	Maximum weight of a lot (tonnes)	Minimum weight of a sample to be drawn from a lot (grams)	Weight of the sample for the determinations by number provided for in columns 12 to 14 of Annex II (I) (2) (A) and columns 3 to 7 of Annex II (II) (2) (A) (grams)	
1	2	3	4	
<i>GRAMINEAE</i>				
<i>Agrostis canina</i>	10	50	5	19/07/1979 – 79/641L – REPLACE
<i>Agrostis gigantea</i>	10	50	5	
<i>Agrostis stolonifera</i>	10	50	5	
<i>Agrostis capillaris</i>	10	50	5	18/02/1987 – 87/120L – REPLACE
<i>Alopecurus pratensis</i>	10	100	30	
<i>Arrhenatherum elatius</i>	10	200	80	
<i>Bromus catharticus</i>	10	200	200	16/07/1988 – 88/380L – INSERT
<i>Bromus sitchensis</i>	10	200	200	
<i>Cynodon dactylon</i>	10	50	5	07/05/1986 – 86/155 – INSERT
<i>Dactylis glomerata</i>	10	100	30	
<i>Festuca arundinacea</i>	10	100	50	
<i>Festuca ovina</i>	10	100	30	
<i>Festuca pratensis</i>	10	100	50	
<i>Festuca rubra</i>	10	100	30	
× <i>Festulolium</i>	10	200	60	22/04/1992 – 92/19L – INSERT
<i>Lolium multiflorum</i>	10	200	60	
<i>Lolium perenne</i>	10	200	60	
<i>Lolium × boucheanum</i>	10	200	60	18/02/1987 – 87/120L – REPLACE
<i>Phalaris aquatica</i> L.	10	100	50	07/05/1986 – 86/155 – INSERT
<i>Phleum bertolonii</i>	10	50	10	
<i>Phleum pratense</i>	10	50	10	
<i>Poa annua</i>	10	50	10	
<i>Poa nemoralis</i>	10	50	5	
<i>Poa palustris</i>	10	50	5	
<i>Poa pratensis</i>	10	50	5	
<i>Poa trivialis</i>	10	50	5	
<i>Trisetum flavescens</i>	10	50	5	
<i>LEGUMINOSAE</i>				
<i>Hedysarum coronarium</i>				
— fruit	10	1 000	300	
— seed	10	400	120	
<i>Lotus corniculatus</i>	10	200	30	
<i>Lupinus albus</i>	20	1 000	1 000	
<i>Lupinus angustifolius</i>	20	1 000	1 000	
<i>Lupinus luteus</i>	20	1 000	1 000	

Species	Maximum weight of a lot (tonnes)	Minimum weight of a sample to be drawn from a lot (grams)	Weight of the sample for the determinations by number provided for in columns 12 to 14 of Annex II (1) (2) (A) and columns 3 to 7 of Annex II (II) (2) (A) (grams)	
1	2	3	4	
<i>Medicago lupulina</i>	10	300	50	
<i>Medicago sativa</i>	10	300	50	
<i>Medicago</i> × <i>varia</i>	10	300	50	19/07/1979 – 79/641L – REPLACE
<i>Onobrychis viciifolia</i> :				19/07/1979 – 79/641L – REPLACE
— fruit	10	600	600	
— seed	10	400	400	
<i>Pisum sativum</i>	20	1 000	1 000	19/07/1979 – 79/641L – REPLACE
<i>Trifolium alexandrinum</i>	10	400	60	
<i>Trifolium hybridum</i>	10	200	20	
<i>Trifolium incarnatum</i>	10	500	80	
<i>Trifolium pratense</i>	10	300	50	
<i>Trifolium repens</i>	10	200	20	
<i>Trifolium resupinatum</i>	10	200	20	
<i>Trigonella foenumgraecum</i>	10	500	450	
<i>Vicia faba</i>	20	1 000	1 000	19/07/1979 – 79/641L – REPLACE
<i>Vicia pannonica</i>	20	1 000	1 000	
<i>Vicia sativa</i>	20	1 000	1 000	
<i>Vicia villosa</i>	20	1 000	1 000	
OTHER SPECIES				
<i>Brassica napus</i> var. <i>napobrassica</i>	10	200	100	
<i>Brassica oleracea</i> convar. <i>acephala</i>	10	200	100	
<i>Phacelia tanacetifolia</i>	10	300	40	16/07/1988 – 88/380L – INSERT
<i>Raphanus sativus</i> var. <i>oleiformis</i>	10	300	300	18/02/1987 – 87/120L – REPLACE

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

18/02/1987 – 87/120L – INSERT

ANNEX IV  
MARKING

26/07/1975 – 75/444L – REPLACE

A. Official label

I. Information required

(a) For basic seed and certified seed:

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

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

26/08/1978 – 78/692L – INSERT

or

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

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

26/07/1975 – 75/444L – REPLACE  
16/07/1988 – 88/380L – INSERT

5. Variety indicated at least in roman characters.

16/07/1988 – 88/380L – INSERT

6. Category,

7. Country of production,

8. Declared net or gross weight or declared number of 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 pure seeds and the total weight,

10. For certified seed of the second generation and subsequent generations after basic seed: number of generations after basic seed,

11. For seed of grass varieties which have not been subjected to tests for their cropping value and use in accordance with Article 4 (2) (a) of Council Directive No 70/457/EEC <sup>(1)</sup> of 29 September 1970 concerning the common catalogue of species of agricultural plants: 'Not intended for the production of fodder plants',

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.

20/01/1978 – 78/55L – INSERT

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

16/07/1988 – 88/380L – INSERT

(b) For commercial seed:

1. 'EEC rules and standards',
2. 'Commercial seed (not certified as to variety)',
3. Supervising authority and Member State or their initials,
4. Reference number of lot,

26/07/1975 – 75/444L – REPLACE

4a. Month and year of sealing expressed thus: 'sealed . . . ' (month and year),

26/08/1978 – 78/692L – INSERT

or

<sup>(1)</sup> OJ No L 225, 12. 10. 1970, p. 1.

month and year of the last official sampling for the purposes of certification expressed thus: 'sampled . . .' (month and year),	
5. Species <sup>(1)</sup> <u>indicated at least under its botanical name, which may be given in abridged form and without the authorities' names, in roman characters.</u>	26/07/1975 – 75/444L – REPLACE 16/07/1988 – 88/380L – INSERT
6. Area of production,	
7. Declared net or gross weight or declared number of pure seeds,	
8. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of pure seed and the total weight,	
9. 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.	20/01/1978 – 78/55L – INSERT
In accordance with the procedure laid down in Article 21, Member States may be released from the requirement to indicate the botanical name in respect of individual species and, where appropriate, for limited periods where it has been established that the disadvantages of its implementation outweigh the advantages expected for the marketing of seed.	16/07/1988 – 88/380L – INSERT
(c) For mixtures of seed:	26/07/1975 – 75/444L – REPLACE
1. 'Mixture of seed for . . .' (intended use),	
2. Authority responsible for sealing and Member State or their initials,	
3. Reference number of lot,	
3. (a)(SIC! 3a.) Month and year of sealing expressed thus: 'sealed . . .' (month and year),	26/08/1978 – 78/692L – INSERT
4. Percentage by weight of the various components shown by species and, where appropriate, by variety <u>both indicated at least in roman characters</u> ; it is sufficient to give the name of the mixture if the percentage by weight has been notified in writing to the purchaser and officially recorded,	26/07/1975 – 75/444L – REPLACE 16/07/1988 – 88/380L – INSERT
5. Declared net or gross weight or declared number of pure seeds,	
6. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of pure seed and the total weight,	
7. Where at least germination of all the components of the mixture has been retested, the words 'retested . . . (month and year)' and the service responsible for such retesting may be indicated. Such information may be given on an official sticker attached to the official label label (SIC! official label).	20/01/1978 – 78/55L – INSERT
II. <i>Minimum dimensions</i>	26/07/1975 – 75/444L – REPLACE
110 $\phi$ 67 mm.	
B. <b>Supplier's label or information on the packaging (small EEC package)</b>	
Information required	
(a) Certified seed:	
1. 'Small EEC B package',	

<sup>(1)</sup> For lupins, it should be specified whether they are bitter or sweet lupins.

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 certified seed lot to be identified,
  6. Species indicated at least in roman characters, 16/07/1988 – 88/380L – INSERT
  7. Variety indicated at least in roman characters, 16/07/1988 – 88/380L – INSERT
  8. 'Certified seed',
  9. Net or gross weight or number of pure seeds,
  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 pure seed and the total weight,
  11. For seed of grass varieties which have not been subjected to tests for their cropping value and use in accordance with Article 4 (2) (a) of Council Directive No 70/457/EEC of 29 September 1970 concerning the common catalogue of species of agricultural plants: 'not intended for the production of fodder plants'.
- (b) Commercial seed:
1. 'Small EEC B 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 admitted seed lot to be identified,
  6. Species <sup>(1)</sup> indicated at least in roman characters, 16/07/1988 – 88/380L – INSERT
  7. 'Commercial seed'
  8. Net weight or gross weight or number of 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 pure seeds and the total weight.
- (c) Seed mixtures:
1. 'Small EEC A package' or 'small EEC B package',
  2. Name and address of the supplier responsible for marking or his identification mark,
  3. Small EEC B package: officially assigned serial number,
  4. Small EEC B package: service which assigned the serial number and name of Member State or their initials,
  5. Small EEC B package: reference number if the official serial number does not enable the used seed lots to be identified,
  6. Small EEC A package: reference number enabling the used seed lots to be identified,
  7. Small EEC A package: Member State or its initials,
  8. 'Seed-mixture for . . . (intended use)',
  9. Net weight or gross weight or number of pure seeds,
  10. Where weight is indicated and granulated pesticides, pelleting substances, or other solid additives are used, the nature of the additives and also the approximate ratio between the weight of pure seed and the total weight,

<sup>(1)</sup> For lupins, it should be specified whether they are bitter or sweet lupins.

11. Percentage by weight of the various components shown by species and, where appropriate, by variety both indicated at least in roman characters; it is sufficient to give part of this information, as Member States may prescribe for small packages produced in their territory, and a reference to the kind of mixture if the proportion by weight can be communicated to the purchaser on request and has been officially recorded.

16/07/1988 – 88/380L – INSERT

**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 States or their initials,
- species, indicated at least under its botanical name, which may be given in abridged form and without the authorities' names, in roman characters,
- variety, indicated at least in roman characters,
- category,
- field or lot reference number,
- declared net or gross weight,
- the words 'seed not finally certified'.

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

B. *Colour of the label*

The label shall be grey.

C. *Information required for the document*

- authority issuing the document,
- species, indicated at least under its botanical name, which may be given in abridged form and without the authorities (SIC! authorities') names, in roman characters,
- variety, indicated at least in roman characters,
- category,
- reference number of the seed used to sow the field and name of the country or countries which certified that seed,
- field or lot reference number,
- area cultivated for the production of the lot covered by the document,
- quantity of seed 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.