

Council Decision of 16 December 2002 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries (Text with EEA relevance) (2003/17/EC)

*[<sup>F1</sup>Article 1*

[<sup>F2</sup>Field inspections concerning the seed-producing crops of the species specified in Annex I to this Decision carried out in the third countries listed in that Annex shall be considered equivalent to field inspections carried out in accordance with Directives 66/401/EEC, 66/402/EEC, 2002/54/EC and 2002/57/EC and Council Directive 2002/55/EC<sup>(1)</sup> provided that they:]

- (a) are carried out officially by the authorities listed in Annex I, or under the official supervision of those authorities;
- (b) satisfy the conditions laid down in point A of Annex II.

**Textual Amendments**

- F1** Substituted by Council Decision of 8 November 2005 on the equivalence of checks on practices for the maintenance of varieties carried out in certain third countries and amending Decision 2003/17/EC (2005/834/EC).
- F2** Substituted by Decision (EU) 2018/1674 of the European Parliament and of the Council of 23 October 2018 amending Council Decision 2003/17/EC as regards the equivalence of field inspections carried out in the Federative Republic of Brazil on fodder plant seed-producing crops and cereal seed-producing crops and on the equivalence of fodder plant seed and cereal seed produced in the Federative Republic of Brazil, and as regards the equivalence of field inspections carried out in the Republic of Moldova on cereal seed-producing crops, vegetable seed-producing crops and oil and fibre plant seed-producing crops and on the equivalence of cereal seed, vegetable seed and oil and fibre plant seed produced in the Republic of Moldova.

*[<sup>F2</sup>Article 2*

Seed of the species specified in Annex I to this Decision, produced in the third countries listed in that Annex and officially certified by the authorities listed in that Annex shall be considered equivalent to seed complying with Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC and 2002/57/EC, if it satisfies the conditions laid down in point B of Annex II to this Decision.]]

**Textual Amendments**

- F1** Substituted by Council Decision of 8 November 2005 on the equivalence of checks on practices for the maintenance of varieties carried out in certain third countries and amending Decision 2003/17/EC (2005/834/EC).
- F2** Substituted by Decision (EU) 2018/1674 of the European Parliament and of the Council of 23 October 2018 amending Council Decision 2003/17/EC as regards the equivalence of field inspections carried out in the Federative Republic of Brazil on fodder plant seed-producing crops and cereal seed-producing crops and on the equivalence of fodder plant seed and cereal seed produced in the Federative Republic of Brazil, and as regards the equivalence of field inspections carried out in the Republic of Moldova on cereal seed-producing crops, vegetable seed-producing crops and oil and fibre plant seed-producing crops and on the equivalence of cereal seed, vegetable seed and oil and fibre plant seed produced in the Republic of Moldova.

**Status:** Point in time view as at 02/12/2018.

**Changes to legislation:** There are outstanding changes not yet made to Council Decision of 16 December 2002 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries (Text with EEA relevance) (2003/17/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

### Article 3

[<sup>F2</sup>1 Where equivalent seed is ‘relabelled and refastened’ in the Community, within the meaning of OECD Schemes for the Varietal Certification of Seed moving in International Trade, the provisions of Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC and 2002/57/EC concerning the reclosing of packages produced in the Community shall apply by analogy.

The first subparagraph shall be without prejudice to the OECD rules applicable to such operations.]

2 Where relabelling and refastening in the Community of equivalent seed is necessary, EC labels shall be used only:

a if seeds produced in Member States and seeds of the same variety and category produced in third countries are blended in order to improve the germination capacity, provided that:

- the blend is homogeneous, and
- the label mentions each country of production; or

[<sup>F2</sup>b for small EC packages within the meaning of Directives 66/401/EEC, 2002/54/EC or 2002/55/EC.]

#### Textual Amendments

**F2** Substituted by [Decision \(EU\) 2018/1674 of the European Parliament and of the Council of 23 October 2018 amending Council Decision 2003/17/EC as regards the equivalence of field inspections carried out in the Federative Republic of Brazil on fodder plant seed-producing crops and cereal seed-producing crops and on the equivalence of fodder plant seed and cereal seed produced in the Federative Republic of Brazil, and as regards the equivalence of field inspections carried out in the Republic of Moldova on cereal seed-producing crops, vegetable seed-producing crops and oil and fibre plant seed-producing crops and on the equivalence of cereal seed, vegetable seed and oil and fibre plant seed produced in the Republic of Moldova.](#)

### <sup>F3</sup> Article 4

#### Textual Amendments

**F3** Deleted by [Decision No 1105/2012/EU of the European Parliament and of the Council of 21 November 2012 amending Council Decision 2003/17/EC by extending its period of application and by updating the names of a third country and of the authorities responsible for the approval and control of the production \(Text with EEA relevance\).](#)

### <sup>F3</sup> Article 5

#### Textual Amendments

**F3** Deleted by [Decision No 1105/2012/EU of the European Parliament and of the Council of 21 November 2012 amending Council Decision 2003/17/EC by extending its period of application and by updating the names of a third country and of the authorities responsible for the approval and control of the production \(Text with EEA relevance\).](#)

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### Article 6

This Decision shall apply from 1 January 2003 to [F<sup>4</sup>31 December 2022].

#### Textual Amendments

- F4** Substituted by [Decision No 1105/2012/EU of the European Parliament and of the Council of 21 November 2012 amending Council Decision 2003/17/EC by extending its period of application and by updating the names of a third country and of the authorities responsible for the approval and control of the production \(Text with EEA relevance\)](#).

### Article 7

This Decision is addressed to the Member States.

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- (1) <sup>F1</sup><sup>F2</sup>Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed (OJ L 193, 20.7.2002, p. 33).]]

#### Textual Amendments

- F1** Substituted by Council Decision of 8 November 2005 on the equivalence of checks on practices for the maintenance of varieties carried out in certain third countries and amending Decision 2003/17/EC (2005/834/EC).
- F2** Substituted by Decision (EU) 2018/1674 of the European Parliament and of the Council of 23 October 2018 amending Council Decision 2003/17/EC as regards the equivalence of field inspections carried out in the Federative Republic of Brazil on fodder plant seed-producing crops and cereal seed-producing crops and on the equivalence of fodder plant seed and cereal seed produced in the Federative Republic of Brazil, and as regards the equivalence of field inspections carried out in the Republic of Moldova on cereal seed-producing crops, vegetable seed-producing crops and oil and fibre plant seed-producing crops and on the equivalence of cereal seed, vegetable seed and oil and fibre plant seed produced in the Republic of Moldova.

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