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[<sup>F1</sup>ANNEX I

## CONDITIONS TO BE SATISFIED BY THE CROP

**Textual Amendments**

- F1** Inserted by [First Commission Directive of 18 April 1978 amending the Annexes to Directive 66/401/EEC on the marketing of fodder plant seed \(78/386/EEC\)](#).

- 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.
- The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination:

Crop	Minimum distance
1	2
<b><i>Brassica</i> spp., [<sup>F2</sup><i>Phacelia tanacetifolia</i>] :</b>	
— for the production of basic seed	400 m
— for the production of certified seed	200 m
<b>Species or varieties other than <i>Brassica</i> spp., [<sup>F2</sup><i>Phacelia tanacetifolia</i>], [<sup>F3</sup><i>Pisum sativum</i>], [<sup>F4</sup>varieties of <i>Poa pratensis</i> referred to in the second part of the third sentence of paragraph 4:]</b>	
— 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

**Textual Amendments**

- F2** Inserted by [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 \(88/380/EEC\)](#).

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- F3** Inserted by 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).
- F4** Inserted by 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).

These distances can be disregarded if there is sufficient protection from any 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 [<sup>F5</sup>or × *Festulolium*] shall conform to the following conditions: the number of plants of a *lolium* species [<sup>F5</sup>or × *Festulolium*] other than the crop species shall not exceed:

#### Textual Amendments

- F5** Inserted by Commission Directive 92/19/EEC of 23 March 1992 amending Directive 66/401/EEC on the marketing of fodder plant seed.

- 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 [<sup>F6</sup>other than those of the species *Pisum sativum*, [<sup>F7</sup>*Vicia faba*], *Brassica napus* var. *napobrassica*, *Brassica oleracea* convar. *acephala*, [<sup>F8</sup>*Raphanus sativus* ssp. *oleifera*][<sup>F4</sup>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:

#### Textual Amendments

- F6** Inserted by 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).
- F7** Inserted by Commission Directive of 13 April 1982 amending the Annexes to Council Directives 66/N401/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).
- F8** Deleted by Commission Directive of 13 April 1982 amending the Annexes to Council Directives 66/N401/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).

- 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.]

[<sup>F4</sup>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;

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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.]

[<sup>F6</sup>In the case of the species *Pisum sativum*, [<sup>F7</sup>*Vicia faba*], *Brassica napus* var. *napobrassica*, *Brassica oleracea* convar. *acephala* [<sup>F8</sup>, *Raphanus sativus* spp. *oleifera*] [<sup>F9</sup>and of apomictic uni-clonal varieties of *Poa* spp] only the first sentence is applicable.]

#### Textual Amendments

**F9** Deleted by [Commission Directive of 14 December 1984 amending Annexes I and II to Council Directive 66/401/EEC on the marketing of fodder plant seed \(85/38/EEC\)](#).

[<sup>F15</sup>. [<sup>F10</sup>The crop shall be practically free from any pests which reduce the usefulness and quality of the seed.

#### Textual Amendments

**F10** Substituted by [Commission Implementing Directive \(EU\) 2020/177 of 11 February 2020 amending Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/55/EC, 2002/56/EC and 2002/57/EC, Commission Directives 93/49/EEC and 93/61/EEC and Implementing Directives 2014/21/EU and 2014/98/EU as regards pests of plants on seeds and other plant reproductive material \(Text with EEA relevance\)](#).

The crop shall also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and regulated non-quarantine pests (‘RNQPs’) provided for in implementing acts adopted pursuant to Regulation (EU) 2016/2031<sup>(1)</sup> as well as the measures adopted pursuant to Article 30(1) of that Regulation;

The presence of RNQPs on the crop and the respective categories shall comply with the following requirements as set out in the table:

RNQPs or symptoms caused by RNQPs	Plants for planting (genus or species)	Thresholds for the production of pre-basic seed	Thresholds for the production of basic seed	Thresholds for the production of certified seed
<i>Clavibacter michiganensis</i> ssp. <i>insidiosus</i> (McCulloch 1925) Davis <i>et al.</i> [CORBIN]	<i>Medicago sativa</i> L.	0 %	0 %	0 %
<i>Ditylenchus dipsaci</i> (Kuehn)	<i>Medicago sativa</i> L.	0 %	0 %	0 %]

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[<sup>F11</sup>6. The satisfaction of the abovementioned standards or other conditions shall, in the case of basic seed, be examined in official field inspections and, in the case of certified seed, be examined either in official field inspections or in inspections carried out under official supervision.]

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.]

#### **Textual Amendments**

**F11** Substituted by Council Directive 98/96/EC of 14 December 1998 amending, inter alia, as regards unofficial field inspections under 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.

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- (1) [<sup>F1</sup>]<sup>F10</sup>Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4).]]

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**Textual Amendments**

- F1** Inserted by 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).
- F10** Substituted by Commission Implementing Directive (EU) 2020/177 of 11 February 2020 amending Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/55/EC, 2002/56/EC and 2002/57/EC, Commission Directives 93/49/EEC and 93/61/EEC and Implementing Directives 2014/21/EU and 2014/98/EU as regards pests of plants on seeds and other plant reproductive material (Text with EEA relevance).