

[<sup>F1</sup>ANNEX I**CONDITIONS TO BE SATISFIED BY THE CROP****Textual Amendments**

- F1** Substituted by Commission Directive 2009/74/EC of 26 June 2009 amending Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC and 2002/57/EC as regards the botanical names of plants, the scientific names of other organisms and certain Annexes to Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in the light of developments of scientific and technical knowledge (Text with EEA relevance).

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.

- [<sup>F2</sup>2. The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination:

<b>Crop</b>	<b>Minimum distance</b>
<i>Phalaris canariensis</i> , <i>Secale cereale</i> other than hybrids:	
— for the production of basic seed	300 m
— for the production of certified seed	250 m
<i>Sorghum</i> spp.	
— for the production of basic seed <sup>a</sup>	400 m
— for the production of certified seed <sup>a</sup>	200 m
<i>xTriticosecale</i> , self-pollinating varieties	
— for the production of basic seed	50 m
— for the production of certified seed	20 m
<i>Zea mays</i>	200 m

**a** In the areas where the presence of *S. halepense* or *S. sudanense* is a particular cross-pollination issue, the following shall apply:

- a) crops to produce basic seed of *Sorghum bicolor* or its hybrids must be isolated not less than 800 m from any source of such contaminating pollen;
- b) crops to produce certified seed of *Sorghum bicolor* or its hybrids must be isolated not less than 400 m from any source of such contaminating pollen.

The minimum distances listed in the table above may be disregarded if there is sufficient protection from any undesirable foreign pollination.]

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### Textual Amendments

- F2** Substituted by [Commission Implementing Directive \(EU\) 2018/1027 of 19 July 2018 amending Council Directive 66/402/EEC as regards isolation distances for \*Sorghum\* spp. \(Text with EEA relevance\).](#)

3. The crop shall have sufficient varietal identity and varietal purity or, in the case of a crop of an inbred line, sufficient identity and purity as regards its characteristics. For the production of seed of hybrid varieties, the abovementioned provisions shall also apply to the characteristics of the components, including male sterility or fertility restoration

In particular, crops of *Oryza sativa*, *Phalaris canariensis*, *Secale cereale* other than hybrids, *Sorghum* spp. and *Zea mays* shall conform to the following other standards or conditions:

A. **[<sup>F3</sup>*Oryza sativa*:**

The number of plants which are recognisable as obviously being wild or red-grain plants shall not exceed:

- 0 for the production of basic seed,
- 1 per 100 m<sup>2</sup> for the production of certified seed, first and second generation.]

B. ***Phalaris canariensis*, *Secale cereale* other than hybrids:**

The number of plant of the crop species, which are recognisable 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,

C. ***Sorghum* spp.**

- (a) The percentage by number of plants of a *Sorghum* species other than the crop species or plants which are recognisable as obviously not being true to the inbred line or to the component shall not exceed:

(aa) for the production of basic seed

- (i) at flowering: 0,1 %;
- (ii) at maturity: 0,1 %;

(bb) for the production of certified seed

- (i) plants of the male component which have shed pollen when the plants of the female component have receptive stigmas: 0,1 %;
- (ii) plants of the female component
  - at flowering: 0,3 %;
  - at maturity: 0,1 %;

- (b) The following other standards or conditions shall be satisfied for the production of certified seed of hybrid varieties:

(aa) sufficient pollen shall be shed by the plants of the male component while the plants of the female component have receptive stigmas;

- (bb) where plants of the female component have receptive stigmas, the percentage of plants of that component which have shed pollen or are shedding pollen shall not exceed 0,1 %;
- (c) Crops of open pollinated varieties or synthetic varieties of *Sorghum* spp. shall conform to the following standards: the number of plants of the crop species, which are recognisable 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,

**D. *Zea mays*:**

- (a) The percentage by number of plants which are recognisable as obviously not being true to the variety, to the inbred line, or to the component shall not exceed:
  - (aa) for the production of basic seed:
    - (i) inbred lines, 0,1 %;
    - (ii) simple hybrid, each component, 0,1 %;
    - (iii) open-pollinated varieties, 0,5 %;
  - (bb) for the production of certified seed:
    - (i) hybrid varieties component:
      - inbred lines, 0,2 %;
      - simple hybrid, 0,2 %;
      - open-pollinated variety, 1,0 %;
    - (ii) open-pollinated varieties, 1,0 %;
- (b) The following other standards or conditions shall be satisfied for the production of seed of hybrid varieties:
  - (aa) a sufficient pollen shall be shed by the plants of the male component while the plants of the female component are in flower;
  - (bb) where appropriate, emasculation shall be carried out;
  - (cc) where 5 % or more of the female component plants have receptive stigmas, the percentage of female component which have shed pollen or are shedding pollen shall not exceed:
    - 1 % at any official field inspection, and,
    - 2 % at the total of the official field inspections,

**Textual Amendments**

- F3** 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](#)

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2014/98/EU as regards pests of plants on seeds and other plant reproductive material (Text with EEA relevance).

Plants are considered as having shed pollen or shedding pollen where, on 50 mm or more of the central axis or laterals of a panicle, the anthers have emerged from their glumes and have shed or are shedding pollen.

4. Hybrids of *Secale cereale*

- (a) 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
— for the production of basic seed,	
— where male sterility is used,	1 000 m
— where male sterility is not used,	600 m
— for the production of certified seed,	500 m

- (b) The crop shall have sufficient identity and purity as regards the characteristics of the components, including male sterility.

In particular, the crop shall conform to the following other standards or conditions:

- (i) the number of plants of the crop species, which are recognisable as obviously not being true to the component 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, this standard to apply in official field inspections to the female component only;
- (ii) in the case of basic seed, where male sterility is used, the level of sterility of the male-sterile component shall be at least 98 %.
- (c) Where appropriate, certified seed shall be produced in mixed cultivation of a female male-sterile component with a male component which restores male fertility.
5. [<sup>F4</sup>Crops to produce certified seed of hybrids of *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Oryza sativa*, *Triticum aestivum*, *Triticum durum*, *Triticum spelta* and self-pollinating *xTriticosecale* and crops to produce certified seed of hybrids of *Hordeum vulgare* by means of a technique other than Cytoplasmic Male Sterility (CMS)]

**Textual Amendments**

**F4** Substituted by [Commission Implementing Directive \(EU\) 2015/1955 of 29 October 2015 amending Annexes I and II to Council Directive 66/402/EEC on the marketing of cereal seed \(Text with EEA relevance\).](#)

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

- the minimum distance of the female component shall be 25 m from any other variety of the same species except from a crop of the male component,
  - this distance can be disregarded if there is sufficient protection from any undesirable foreign pollination;
- (b) The crop shall have sufficient identity and purity as regards the characteristics of the components.

Where seed is produced by use of a chemical hybridisation agent, the crop shall conform to the following other standards or conditions:

- (i) the minimum varietal purity of each component shall be:
- *Avena nuda, Avena sativa, Avena strigosa, Hordeum vulgare, Oryza sativa, Triticum aestivum, Triticum durum and Triticum spelta*: 99,7 %,
  - self-pollinating *xTriticosecale*: 99,0 %;
- (ii) the minimum hybridity must be 95 %. The percentage hybridity shall be assessed in accordance with current international methods, in so far as such methods exist. In cases where the hybridity is determined during seed testing prior to certification, the determination of the hybridity during field inspection need not be done.

[<sup>F5</sup>5a. Crops to produce basic and certified seed of hybrids of *Hordeum vulgare* by means of the technique of CMS:

- (a) 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
For the production of basic seed	100 m
For the production of certified seed	50 m

- (b) The crop shall have sufficient varietal identity and purity as regards the characteristics of the components.

In particular the crop shall conform to the following standards:

- (i) The percentage by number of plants which are obviously not being true to type shall not exceed:
- for the crops used to produce basic seed, 0,1 % for the maintainer and the restorer line and 0,2 % for the CMS female component,
  - for the crops used to produce certified seed, 0,3 % for the restorer and the CMS female component and 0,5 % in case the CMS female component is a single hybrid.
- (ii) The level of male sterility of the female component shall be at least:
- 99,7 % for crops used to produce basic seed,
  - 99,5 % for crops used to produce certified seed.
- (iii) The requirements of points (i) and (ii) shall be examined in official post-control test.
- (c) Certified seed may be produced in mixed cultivation of a female male-sterile component with a male component which restores fertility.]

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- F5** Inserted by [Commission Implementing Directive \(EU\) 2015/1955 of 29 October 2015 amending Annexes I and II to Council Directive 66/402/EEC on the marketing of cereal seed \(Text with EEA relevance\)](#).

[<sup>F3</sup>6. The crop shall be practically free from any pests which reduce the usefulness and quality of the seed.

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 crops shall comply with the following requirements as set out in the table:

Fungi and oomycetes				
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>Gibberella fujikuroi</i> Sawada [GIBBFU]	<i>Oryza sativa</i> L.	Not more than 2 symptomatic plants per 200 m <sup>2</sup> seen during field inspections at appropriate times of a representative sample of the plants in each crop.	Not more than 2 symptomatic plants per 200 m <sup>2</sup> seen during field inspections at appropriate times of a representative sample of the plants in each crop.	Certified seed of the first generation (C1): Not more than 4 symptomatic plants per 200 m <sup>2</sup> seen during field inspections at appropriate times of a representative sample of the plants in each crop. Certified seed of the second generation (C2): Not more than 8 symptomatic plants per 200 m <sup>2</sup> seen during field inspections at appropriate times of a representative sample of the plants in each crop.
Nematodes				

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<b>RNQPs or symptoms caused by RNQPs</b>	<b>Plants for planting (genus or species)</b>	<b>Thresholds for the production of pre-basic seed</b>	<b>Thresholds for the production of basic seed</b>	<b>Thresholds for the production of certified seed</b>
<i>Aphelenchoides besseyi</i> Christie [APLOBE]	<i>Oryza sativa</i> L.	0 %	0 %	0 %]

7. The satisfaction of the abovementioned other standards or 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. The number of field inspections shall be at least:
- (a) for *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Hordeum vulgare*, *Oryza sativa*, *Phalaris canariensis*, *xTriticosecale*, *Triticum aestivum*, *Triticum durum*, *Triticum spelta*, *Secale cereale*: one;
  - (b) for *Sorghum* spp. and *Zea mays* during the flowering season:
    - (aa) open-pollinated varieties: one,
    - (bb) inbred lines or hybrids: three.

When the crop follows a *Sorghum* spp. and *Zea mays* crop in either the preceding year or current year, at least one special field inspection shall be made to check the satisfaction of the provisions laid down in point 1 of this Annex.
- 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.]

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- (1) [<sup>F1</sup>]<sup>F3</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).]]

#### Textual Amendments

- F1** Substituted by Commission Directive 2009/74/EC of 26 June 2009 amending Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC and 2002/57/EC as regards the botanical names of plants, the scientific names of other organisms and certain Annexes to Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in the light of developments of scientific and technical knowledge (Text with EEA relevance).
- F3** 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).