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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	General Secretariat of the Council
No. Cion doc.:	COM(2024) 53 final
Subject:	ANNEXES to the Proposal for a DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 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 (codification)

Delegations will find attached document COM(2024) 53 final – Annexes 1 to 4.

Encl.: COM(2024) 53 final – Annexes 1 to 4



Brussels, 6.2.2024
COM(2024) 53 final

ANNEXES 1 to 4

ANNEXES

to the

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

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 (codification)

- ↓ 2012/1105 Art. 1.4 and Annex (adapted)
 →₁ 2018/1674 Art. 1.4 and Annex .1(b)
 →₂ 2018/1674 Art. 1.4 and Annex .1(a)
 →₃ 2020/1544 Art. 1(b)
 →₄ 2020/1544 Art. 1(a)
 →₅ 2021/537 Art. 1.1 and Annex .1(2)
 →₆ 2021/537 Art. 1.1 and Annex .1(1)
 →₇ 2022/871 Art. 1(2)(b)
 →₈ 2022/871 Art. 1(2)(a)

ANNEX I

☒ THIRD ☒ COUNTRIES, AUTHORITIES AND SPECIES		
☒ Third ☒ Country ☒ ¹ ☒	Authority	Species referred to in the following Directives
1	2	3
AR	Instituto Nacional de Semillas (INASE) Av. Paseo Colón 922, 3 Piso 1063 BUENOS AIRES	66/401 /EEC 66/402/EEC 2002/57/EC
AU	Australian Seeds Authority Ltd PO Box 187 LINDFIELD, NSW 2070	66/401/EEC 66/402/ → ₁ EEC ← 2002/57/EC
→ ₈ BO ←	→ ₈ Ministry of Rural Development and Land Bolivia Av. Camacho entre calles Loaya y Bueno No 1471, LA PAZ ←	→ ₈ 66/402/EEC – only in respect of <i>Zea mays</i> and <i>Sorghum</i> spp. 2002/57/EC – only in respect of <i>Helianthus annuus</i> ←

¹ AR — Argentina, AU — Australia, →₇ BO — Bolivia, ← →₁ BR — Brazil, ← CA — Canada, CL — Chile, →₅ GB — United Kingdom, ← IL — Israel, MA — Morocco, →₁ MD — the Republic of Moldova, ← NZ — New Zealand, RS — Serbia, TR — ☒ Türkiye ☒ Turkey, →₃ UA — Ukraine, ← US — United States, UY — Uruguay, ZA — South Africa.

→ ₂ BR ←	→ ₂ Ministry of Agriculture, Livestock and Food Supply Esplanada dos Ministérios, bloco D 70.043-900 Brasília-DF ←	→ ₂ 66/401/EEC 66/402/EEC ←
CA	Canadian Food Inspection Agency, Seed Section, Plant Health & Biosecurity Directorate 59 Camelot Drive, Room 250, OTTAWA, ON K1A 0Y9	66/401/EEC 66/402/EEC 2002/57/EC
CL	Ministerio de Agricultura Servicio Agrícola y Ganadero, División de Semillas Casilla 1167, Paseo Bulnes 140 — SANTIAGO DE CHILE	2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC
→ ₆ GB ² ←	→ ₆ Department for Environment, Food & Rural Affairs (DEFRA) Eastbrook Shaftesbury Road Cambridge CB2 8DU ←	→ ₆ 66/401/EEC 66/402/EEC 2002/54/EC 2002/57/EC ←
IL	Ministry of Agriculture & Rural Development Plant Protection and Inspection Services PO Box 78, BEIT-DAGAN 50250	66/401/EEC 66/402/EEC 2002/57/EC
MA	D.P.V.C.T.R.F. Service de Contrôle des Semences et Plants BP 1308 RABAT	66/401/EEC 66/402/EEC 2002/57/EC

² In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex, references to the United Kingdom do not include Northern Ireland.

→ ₂ MD ←	→ ₂ National Agency for Food Safety (ANSA) str. Mihail Kogălniceanu 63, MD-2009, Chisinau ←	→ ₂ 66/402/EEC 2002/55/EC 2002/57/EC ←
NZ	Ministry for Primary Industries, 25 'The Terrace' PO Box 2526 6140 WELLINGTON	2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC
RS	Ministry of Agriculture, Forestry and Water Management Plant Protection Directorate Omladinskih brigada 1, 11070 NOVI BEOGRAD The Ministry of Agriculture has authorised the following institutions to issue OECD certificates: National Laboratory for Seed Testing Maksima Gorkog 30 — 21000 NOVI SAD Maize Research Institute 'Zemun Polje' Slobodana Bajica 1 11080 ZEMUN, BEOGRAD	2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC
TR	Ministry of Agriculture and Rural Affairs, Variety Registration and Seed Certification Centre Gayret mah. Fatih Sultan Mehmet Bulvari No 62 PO Box 30 06172 Yenimahalle/ANKARA	2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC

→ ₄ UA ←	→ ₄ Ministry of Agrarian Policy and Food of Ukraine Khreshchatyk str., 24, 01001, KYIV ←	→ ₄ 66/402/EEC ←
US	USDA — Agricultural Marketing Service Seed Regulatory & Testing Branch 801 Summit Crossing, Suite C, GASTONIA NC 28054	2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC
UY	Instituto Nacional de Semillas (INASE) Cno. Bertolotti s/n y Ruta 8 km 29 91001 PANDO — CANELONES	66/401/EEC 66/402/EEC 2002/57/EC
ZA	National Department of Agriculture, c/o S.A.N.S.O.R. Lynnwood Ridge, PO Box 72981, 0040 PRETORIA	66/401/EEC 66/402/EEC — only in respect of <i>Zea mays</i> and <i>Sorghum</i> spp. 2002/57/EC

↓ 2003/17/EC

ANNEX II

A. CONDITIONS RELATING TO FIELD INSPECTIONS CARRIED OUT IN THIRD COUNTRIES ON SEED-PRODUCING CROPS

1. Field inspections shall be carried out in accordance with national rules for the application of the OECD Schemes for the Varietal Certification of Seed moving in International Trade as follows:

- sugar beet and fodder beet seed, in the case of *Beta vulgaris* referred to in Directive 2002/54/EC,
- grass and legume seed, in the case of the species referred to in Directive 66/401/EEC,
- crucifer seed and other oil and fibre species seed, in the case of the species referred to in Directives 66/401/EEC and 2002/57/EC,
- cereal seed, in the case of the species referred to in Directive 66/402/EEC, other than *Zea mays* and *Sorghum* spp.,
- maize and sorghum seed, in the case of *Zea mays* and *Sorghum* spp. referred to in Directive 66/402/EEC,

↓ 2018/1674 Art. 1.4 and Annex .2(a)

- vegetable seed, in the case of the species referred to in Directive 2002/55/EC.

↓ 2003/17/EC (adapted)

2. Seed not finally certified shall be packed in officially closed packages which bear a special label provided for this purpose by the OECD.

3. Seed not finally certified shall be accompanied, without prejudice to the certificate provided by the OECD ~~s~~Schemes ~~☒~~ for the Varietal Certification of Seed moving in International Trade ~~☒~~, by an official certificate giving the following information:

- reference number of the seed used to sow the field, and name of the Member State or third country which certified that seed,
- area cultivated,
- quantity of seed,
- the attestation that the conditions that have to be satisfied by the crops from which the seed comes have been fulfilled.

B. CONDITIONS RELATING TO SEED PRODUCED IN THIRD COUNTRIES

1. Seed shall be officially certified and its packages officially closed and marked in accordance with national rules for the application of the OECD Schemes for the Varietal Certification of Seed moving in International Trade as follows; the seed lots shall be accompanied by the certificates required under those OECD schemes:

- sugar beet and fodder beet seed, in the case of *Beta vulgaris* referred to in Directive 2002/54/EC,
- grass and legume seed, in the case of the species referred to in Directive 66/401/EEC,
- crucifer seed and other oil or fibre species seed, in the case of the species referred to in Directives 66/401/EEC and 2002/57/EC,
- cereal seed, in the case of the species referred to in Directive 66/402/EEC, other than *Zea mays* and *Sorghum* spp.,
- maize and sorghum seed, in the case of *Zea mays* and *Sorghum* spp. referred to in Directive 66/402/EEC,

↓ 2018/1674 Art. 1.4 and Annex .2(b)(i)

- vegetable seed, in the case of the species referred to in Directive 2002/55/EC.

↓ 2003/17/EC (adapted)

Moreover, seed shall satisfy the conditions of Union ~~Community~~ rules other than those relating to varietal identity and varietal purity.

2. Seed shall satisfy the following conditions.

2.1. The conditions which seed shall satisfy in accordance with point 1, second sentence, the second subparagraph of paragraph 1 are laid down in the following Directives:

- Directive 66/401/EEC, Annex II,
- Directive 66/402/EEC, Annex II,
- Directive 2002/54/EC, Annex I(B),

↓ 2018/1674 Art. 1.4 and Annex .2(b)(ii)
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- Directive 2002/55/EC, Annex II,

↓ 2003/17/EC

- Directive 2002/57/EC, Annex II.
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↓ 2018/1674 Art. 1.4 and
Annex .2(b)(iii) (adapted)

2.2. For the purpose of the examination to check whether the conditions set out in ~~point~~~~paragraph~~ 2.1 have been satisfied, samples shall be taken officially or under official supervision in accordance with the International Seed Testing Association (ISTA) Rules, and their weights shall conform to the weight stipulated under such methods, taking into account the weights specified in the following Directives:

- Directive 66/401/EEC, Annex III, columns 3 and 4,
 - Directive 66/402/EEC, Annex III, columns 3 and 4,
 - Directive 2002/54/EC, Annex II, second line,
 - Directive 2002/55/EC, Annex III,
 - Directive 2002/57/EC, Annex III, columns 3 and 4.
-

↓ 2018/1674 Art. 1.4 and
Annex .2(b)(iv)

2.3. The examination shall be carried out officially or under official supervision in accordance with the ISTA Rules.

↓ 2003/17/EC (adapted)

3. Seed shall satisfy the following additional conditions in respect of package marking.

3.1. The following official information shall be given:

- a statement that the seed satisfies the conditions of Union ~~Community~~ rules other than those relating to varietal identity and varietal purity: ‘~~EC~~ EU rules and standards’,
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↓ 2018/1674 Art. 1.4 and
Annex .2(b)(vi)

- a statement that the seed has been sampled and tested in accordance with current international methods: ‘Sampled and analysed in accordance with the provisions set out in the ISTA International Rules for Seed Testing with regard to Orange International Seed Lot Certificates by ..., (name or member code of the ISTA seed testing station)’,

- date of official closing,
- where seed lots have been ‘relabelled and refastened’ within the meaning of the OECD Schemes for the Varietal Certification of Seed moving in International Trade , also a statement that this operation took place, the most recent date of reclosing and the ~~a~~Authorities responsible therefore,
- country of production,
- declared net or gross weight or declared number of pure seeds or, in the case of beet seed, clusters, and
- 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.

This information may be given either on the OECD label or on an additional official label which shall give the name of the service and the country. Any suppliers' labels shall be drawn up in such a manner that they cannot be confused with the additional official label.

- 3.2. In the case of seed of a variety which has been genetically modified, any label or document, official or otherwise, which is affixed to, or accompanies, the seed lot shall clearly indicate that the variety has been genetically modified and provide for any other information as may be determined in the authorisation procedure required under Union ~~Community~~ law.
- 3.3. An official notice placed inside the package shall give at least the reference number of the lot, the species and the variety; in addition, in the case of beet seed, it shall be stated, where appropriate, whether the seed is monogerm or precision seed.

This notice shall not be ~~is not~~ necessary if the minimum information is printed indelibly on the package or if an adhesive label or a label of non-tear material is used.

- 3.4. Any chemical treatment of the seed and the active substance shall be noted either on the official label or on a special label as well as on the container or inside it.
- 3.5. All information required for official labels, for official notices and for packages shall be given in at least one of the official languages of the Union ~~Community~~.

↓ 2018/1674 Art. 1.4 and Annex .2(b)(vii) (adapted)

4. The seed lots shall be accompanied by an ISTA Orange International Seed Lot Certificate giving the information relating to the conditions set out in pointparagraph 2.
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↓ 2003/17/EC (adapted)

5. In the case of basic seed of varieties which are exclusively maintained within the Union ~~Community~~, the seed of the preceding generations shall have been produced within the Union ~~Community~~.

In the case of basic seed of other varieties, the seed of the preceding generations shall have been produced under the responsibility of the persons responsible for the maintenance breeding, referred to in the common catalogue of varieties of agricultural plant species either within the Union ~~Community~~ or in a third country which has been granted, under Council Decision 2005/834/EC³ ~~Decision 97/788/EC⁴~~, the equivalence of checks on practices for the maintenance of varieties carried out in third countries.

6. For certified seed of all generations, seed of the previous generations shall have been produced and officially controlled and certified:
- either within the Union ~~Community~~, or
 - in a third country which has been granted equivalence under this Decision for the production of basic seed of the species concerned, provided that it has been produced from seed produced in accordance with pointparagraph 5.

7. In the case of Canada and the United States of America, by way of derogation from:

- points 2.2 and 2.3,
- point 3.1, second indent, and
- point 4,

sampling, testing and issue of seed analysis certificates may be carried out by officially recognised seed testing laboratories according to the rules of the Association of Official Seed Analysts (AOSA). In this case:

- the following statement shall be given under pointparagraph 3.1: ‘Sampled and analysed according to AOSA rules by ...’ (name or initials of the officially recognised seed testing laboratory), and

³ Council Decision 2005/834/EC 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 (OJ L 312, 29.11.2005, p. 51, ELI: <http://data.europa.eu/eli/dec/2005/834/oj>).

⁴ OJ L 322, 25.11.1997, p. 39. Decision as last amended by Decision 2002/580/EC (OJ L 184, 13.7.2002, p. 26).

- the certificates required under ~~point~~paragraph 4 shall be issued by the officially recognised seed testing laboratory under the responsibility of the ~~a~~authorities listed in Annex I.
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ANNEX III

Repealed Decision with list of the successive amendments thereto

Council Decision 2003/17/EC

(OJ L 8, 14.1.2003, p. 10,

ELI: [http://data.europa.eu/eli/dec/2003/17\(1\)/oj](http://data.europa.eu/eli/dec/2003/17(1)/oj))

Council Decision 2003/403/EC

(OJ L 141, 7.6.2003, p. 23,

ELI: <http://data.europa.eu/eli/dec/2003/403/oj>)

Council Regulation (EC) No 885/2004

(OJ L 168, 1.5.2004, p. 1,

ELI: <http://data.europa.eu/eli/reg/2004/885/oj>)

Only point III of the Annex

Council Decision 2005/834/EC

(OJ L 312, 29.11.2005, p. 51,

ELI: <http://data.europa.eu/eli/dec/2005/834/oj>)

Only Article 4

Decision 1105/2012/EU of

the European Parliament and of the Council

(OJ L 328, 28.11.2012, p. 4,

ELI: <http://data.europa.eu/eli/dec/2012/1105/oj>)

Council Regulation (EU) No 517/2013

(OJ L 158, 10.6.2013, p. 1,

ELI: <http://data.europa.eu/eli/reg/2013/517/oj>)

Only Article 1, paragraph 2,
point (a), first indent, and
point 6.C.1 of the Annex

Decision (EU) 2018/1674 of

the European Parliament and of the Council

(OJ L 284, 12.11.2018, p. 31,

ELI: <http://data.europa.eu/eli/dec/2018/1674/oj>)

Decision (EU) 2020/1544 of

the European Parliament and of the Council

(OJ L 356, 26.10.2020, p. 5,

ELI: <http://data.europa.eu/eli/dec/2020/1544/oj>)

Decision (EU) 2021/537 of

the European Parliament and of the Council

(OJ L 108, 29.3.2021, p. 4,

ELI: <http://data.europa.eu/eli/dec/2021/537/oj>)

Only Article 1, paragraph 1, and
point 1 of the Annex

Decision (EU) 2022/871 of

the European Parliament and of the Council

(OJ L 152, 3.6.2022, p. 109,

ELI: <http://data.europa.eu/eli/dec/2022/871/oj>)

ANNEX IV

CORRELATION TABLE

Decision 2003/17/EC	This Decision
Articles 1, 2 and 3	Articles 1, 2 and 3
–	Article 4
Article 6	Article 5
Article 7	Article 6
Annex I	Annex I
Annex II	Annex II
–	Annex III
–	Annex IV