

Unclassified

C(99)70/FINAL



Organisation de Coopération et de Développement Economiques  
Organisation for Economic Co-operation and Development

OLIS : 07-Sep-1999  
Dist. : 07-Sep-1999

PARIS

COUNCIL

C(99)70/FINAL  
Unclassified

Council

**DECISION OF THE COUNCIL AMENDING THE DECISIONS CONCERNING THE  
OECD SCHEMES FOR THE VARIETAL CERTIFICATION OR THE CONTROL OF  
SEED MOVING IN INTERNATIONAL TRADE**

(adopted by the Council on 13 July 1999 under the written procedure [C/M(99)15/PROV])

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THE COUNCIL,

Having regard to Article 5 a) and c) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

Having regard to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Herbage and Oil Seed Moving in International Trade [C(88)68(Final)], as amended;

Having regard to the Decision of the Council of 10 October 1988, Revising the OECD Scheme for the Varietal Certification of Cereal Seed Moving in International Trade [C(88)69(Final)], as amended;

Having regard to the Decision of the Council of 10 October 1988, Revising the OECD Scheme for the Varietal Certification of Sugar Beet and Fodder Beet Moving in International Trade [C(88)66(Final)], as amended;

Having regard to the Decision of the Council of 10 October 1988, Revising the OECD Scheme for the Varietal Certification of Maize and Sorghum Seed Moving in International Trade [C(88)67(Final)], as amended;

Having regard to the Decision of the Council of 10 October 1988, Revising the OECD Scheme for the Varietal Certification of Seed of Subterranean Clover and Similar Species Moving in International Trade [C(88)70(Final)], as amended;

Having regard to the Decision of the Council of 16 March 1971 Establishing the OECD Scheme for the Control of Vegetable Seed Moving in International Trade [C(71)31(Final)], as amended;

On the proposal of the Committee for Agriculture;

DECIDES:

Annex I to the Vegetable Scheme and Annex III to the other Schemes are amended as follows (\*).

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(\*) Page and paragraph numbers refer to the document “Up-to-date Version of the Seed Schemes as of 15 June 1996; Annex I (Addendum) to AGR/CA/S(95)15”.

## I. MODIFICATION OF THE HERBAGE AND OIL SEED SCHEME

Section 7, paragraphs 7.1 and 7.3 shall read: (page 9)

7.1 A part of every sample of Basic Seed and of at least one in every four samples of Certified Seed, drawn under Rule 6.4, **shall be checked by the maintainer or his representative under the control of the Designated Authority, in a post-control test conducted immediately or in the season following the drawing of the samples. This test does not apply to samples drawn under Rule 10.4.2.**

**In post-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.2.**

7.3 When a control plot is a pre-control, the Designated Authority is not entitled to certify seed derived from the lot concerned if the results from the plot test show that trueness to cultivar or varietal purity has not been maintained.

**In pre-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.2.**

Appendix II, paragraph 1.2 shall read: (page 19)

1.2 Reject fields when the previous cropping history is not in accordance with regulations published by the Designated Authority. **There shall be a minimum time interval between seed crops and any other crop of the same species as follows:**

- **for cruciferous species: five years;**
- **for leguminous species: three years;**
- **for other species: two years.**

**These intervals are defined in terms of crop years. They may be adapted in conformity with the published regulations of the National Designated Authority, if there exists genetic or agronomic protection with respect to any source of contamination.**

Successive crops of the same cultivar and category of seed may be grown on the same field without any time interval, provided that satisfactory varietal purity is maintained.

## II. MODIFICATION OF THE CEREAL SCHEME

Section 7, paragraphs 7.1 and 7.4 shall read: (page 42 and 43)

7.1 A part of every sample of Basic Seed (except as provided for in Rule 7.2) and a part of at least one in every ten samples of Certified Seed of self-pollinating species or cultivars and of at least one in every four samples of Certified Seed of cross-pollinating species or cultivars, drawn under Rule 6.4, **shall be checked in a post-control test conducted immediately or in the season following the drawing of the sample by the maintainer or his representative under the control of the Designated Authority. This test does not apply to samples drawn under Rule 10.4.2.**

**In post-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.2.**

A post-control test of Basic Seed is a pre-control test for the production of Certified Seed.

7.4 When a control plot is a pre-control, the Designated Authority is not entitled to certify seed derived from the lot concerned if the results from the plot test show that trueness to cultivar or varietal purity has not been maintained.

**In pre-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.2.**

### III. MODIFICATION OF THE BEET SCHEME

Section 7, paragraph 7.2 shall read: (page 73)

7.2 At least one in four of the samples from each lot of Certified Seed shall be grown **by the maintainer or his representative under the control of the Designated Authority**, in duplicate post-control plots consisting of at least 50 roots each in the season immediately following the receipt of the samples. In addition, laboratory methods will be used when available for checking the identity and stability of cultivars. **This test does not apply to samples drawn under Rule 10.4.2.**

**In post-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.2.**

### IV. MODIFICATION OF THE SUBTERRANEAN CLOVER SCHEME

Section 7, paragraph 7.1 shall read: (page 126)

7.1 A part of every sample of Basic Seed and Certified Seed drawn under Rule 6.4 **shall be checked by the maintainer or his representative under the control of the Designated Authority, in a post-control test conducted immediately or in the season following the drawing of the samples. This test does not apply to samples drawn under Rule 10.4.2.**

**In post-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.2.**

A post-control test of Basic Seed is a pre-control test for the production of Certified Seed.

## V. MODIFICATION OF THE MAIZE AND SORGHUM SCHEME

Section 7, paragraph 7.4 shall read: (page 149)

7.4. A part of every sample from any lot exported shall be labelled and sealed by the Designated Authority. It shall be **checked by the maintainer or his representative under the control of the Designated Authority, in a post-control test conducted immediately or in the season following the drawing of the samples. This test does not apply to samples drawn under Rule 114.2.**

**In post-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.2.**

Section 8, paragraph 8.5 shall read: (page 150)

8.5 A part of at least one in every ten samples of Certified Seed, drawn under this Rule, shall be **checked by the maintainer or his representative under the control of the Designated Authority, in a post-control test conducted immediately or in the season following the drawing of the samples. This test does not apply to samples drawn under Rule 11.4.2.**

**In post-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.2.**

## VI. MODIFICATION OF THE VEGETABLE SCHEME

Section 6 paragraph 6.1 shall read: (page 97)

6.1 One part of each sample of the Basic Seed shall be grown **by the maintainer or his representative under the control of the Designated Authority**, in pre-control plots not later than in the season immediately following the receipt of the sample. The number of plants in the pre-control plot shall be sufficient to make a reliable estimation of trueness to cultivar and varietal purity.

**In pre-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.** The Designated Authority is not entitled to certify seed derived from the lot concerned if the results from the plot tests show that trueness to cultivar or varietal purity has not been maintained.

Section 8, paragraph 8.1 shall read: (page 99)

8.1 The Designated Authority will check trueness to cultivar and varietal purity by growing a proportion of the samples in post-control **test conducted immediately or** in the season following the receipt of the samples. The choice of samples to be **controlled** is at the discretion of the Designated Authority.

**In post-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.**

**VII. MODIFICATION OF THE DECISION C(95)161/FINAL RELATING TO THE DEROGATORY EXPERIMENT FOR FIELD INSPECTION**

Council Decision C(95)161/FINAL, Section II, second paragraph, first indent is amended as follows:

"In the case of seed of the category "Certified" for which a derogation is granted in accordance with Article I.4 of the above mentioned Decision, an equivalent inspection in the sense of the Scheme can be authorised, to be made on the following conditions:

- In respect of experiments relating to field inspections: technical conditions shall be those in Article 2 a), b), c) and d) of the Decision of the Commission of the European Communities dated 22 September 1989 (89/540/ECC, Official Journal of the European Communities, N° L286 dated 4 October 1989, pp.24-26); in respect of post-control procedures: a level of verification similar to that provided for the Community post-control procedures shall be ensured [ibid. Art. 2 e), f) and g)]; **however, if countries implementing the present derogation provide for official laboratory seed-testing according to 2 g) using morphological, physiological or, where appropriate, biochemical procedures to identify the variety and establish purity of certain species, the proportions of check inspection required under 2 c) shall be decreased from 20% to 15% and from 10% to 5% respectively.**