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| date of receipt: | 6 July 2023 |
| To: | Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union |
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| Subject: | ANNEXES to the proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031, 2017/625 and 2018/848 of the European Parliament and of the Council, and repealing Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC (Regulation on plant reproductive material) |

Delegations will find attached document COM(2023) 414 FV2.

Encl.: COM(2023) 414 FV2



EUROPEAN
COMMISSION

Brussels, 5.7.2023
COM(2023) 414 final

ANNEXES 1 to 8

ANNEXES

to the proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the production and marketing of plant reproductive material in the Union, amending Regulations (EU) 2016/2031, 2017/625 and 2018/848 of the European Parliament and of the Council, and repealing Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC (Regulation on plant reproductive material)

{ SEC(2023) 414 final } - { SWD(2023) 410 final } - { SWD(2023) 414 final } -
{ SWD(2023) 415 final }

ANNEX I
GENERA AND SPECIES, AND THEIR RESPECTIVE USES, AS REFERRED TO IN
ARTICLE 2

PART A

Genera and species to be used for the production of agricultural crops, other than vegetables

Agrostis canina L.
Agrostis capillaris L.
Agrostis gigantea Roth
Agrostis stolonifera L.
Alopecurus pratensis L.
Arachis hypogaea L.
Arrhenatherum elatius (L.) P. Beauv. ex J. Presl & C. Presl
Avena nuda L.
Avena sativa L. (includes *A. byzantina* K. Koch)
Avena strigosa Schreb.
Beta vulgaris L. partim
Biserrula pelecinus L.
Brassica juncea (L.) Czern.
Brassica napus L. var. *napobrassica* (L.) Rchb.
Brassica napus L. var. *napus*
Brassica nigra (L.) W.D.J. Koch
Brassica oleracea L. convar. *acephala* (DC.) Alef. var. *medullosa* Thell. + var. *varidis* L.
Brassica rapa L. var. *silvestris* (Lam.) Briggs
Bromus catharticus Vahl
Bromus sitchensis Trin.
Cannabis sativa L.
Carthamus tinctorius L.
Carum carvi L.
Cynodon dactylon (L.) Pers.
Dactylis glomerata L.
Festuca arundinacea Schreber
Festuca filiformis Pourr
Festuca ovina L.
Festuca pratensis Huds.
Festuca rubra L.

Festuca trachyphylla (Hack.) Krajina
Galega orientalis Lam.
Glycine max (L.) Merr. partim
Gossypium spp.
Hedysarum coronarium L.
Helianthus annuus L.
Hordeum vulgare L.
Lathyrus cicera L.
Linum usitatissimum L.
Lolium multiflorum Lam.
Lolium perenne L.
Lolium x hybridum Hausskn
Lotus corniculatus L.
Lupinus albus L.
Lupinus angustifolius L.
Lupinus luteus L.
Medicago doliata Carmign.
Medicago italica (Mill.) Fiori
Medicago littoralis Rohde ex Loisel.
Medicago lupulina L.
Medicago murex Willd.
Medicago polymorpha L.
Medicago rugosa Desr.
Medicago sativa L.
Medicago sativa L. *nothosubsp. varia* (Martyn) Arcang.
Medicago scutellata (L.) Mill.
Medicago truncatula Gaertn.
Onobrychis viciifolia Scop.
Ornithopus compressus L.
Ornithopus sativus Brot.
Oryza sativa L.
Papaver somniferum L.
Phacelia tanacetifolia Benth.
Phalaris aquatica L.
Phalaris canariensis L.

Phleum nodosum L.
Phleum pratense L.
Pisum sativum L. partim
Plantago lanceolata L.
Poa annua L.
Poa nemoralis L.
Poa palustris L.
Poa pratensis L.
Poa trivialis L.
Raphanus sativus L. var. *oleiformis* Pers.
Secale cereale L.
Sinapis alba L.
Sorghum bicolor (L.) Moench subsp. *bicolor*
Sorghum bicolor (L.) Moench subsp. *bicolor* x *Sorghum bicolor* (L.) Moench subsp. *drummondii* (Steud.) de Wet ex Davidse
Sorghum bicolor (L.) Moench subsp. *drummondii* (Steud.) de Wet ex Davidse
Trifolium alexandrinum L. Berseem
Trifolium fragiferum L.
Trifolium glanduliferum Boiss.
Trifolium hirtum All.
Trifolium hybridum L.
Trifolium incarnatum L.
Trifolium isthmocarpum Brot.
Trifolium michelianum Savi
Trifolium pratense L.
Trifolium repens L.
Trifolium resupinatum L.
Trifolium squarrosum L.
Trifolium subterraneum L.
Trifolium vesiculosum Savi
Trigonella foenum-graecum L.
Trisetum flavescens (L.) P. Beauv.
Triticum aestivum L. subsp. *aestivum*
Triticum aestivum L. subsp. *spelta* (L.) Thell.
Triticum turgidum L. subsp. *durum* (Desf.) van Slageren
Vicia benghalensis L.

Vicia faba L. partim
Vicia pannonica Crantz
Vicia sativa L.
Vicia villosa Roth
xFestulolium Asch. & Graebn
xTriticosecale Wittm. ex A. Camus
Zea mays L. partim

PART B

Genera and species to be used for the production of vegetables

Allium cepa L.
Allium fistulosum L.
Allium porrum L.
Allium sativum L.
Allium schoenoprasum L.
Anthriscus cerefolium (L.) Hoffm.
Apium graveolens L.
Asparagus officinalis L.
Beta vulgaris L. partim
Brassica oleracea L. partim
Brassica rapa L. partim
Capsicum annuum L.
Cichorium endivia L.
Cichorium intybus L.
Citrullus lanatus (Thunb.) Matsum. et Nakai
Cucumis melo L.
Cucumis sativus L.
Cucurbita maxima Duchesne
Cucurbita pepo L.
Cynara cardunculus L.
Daucus carota L.
Foeniculum vulgare Mill.
Lactuca sativa L.
Petroselinum crispum (Mill.) Nyman ex A. W. Hill
Phaseolus coccineus L.
Phaseolus vulgaris L.

Pisum sativum L. partim
Raphanus sativus L. partim
Rheum rhabarbarum L.
Scorzonera hispanica L.
Solanum lycopersicum L.
Solanum melongena L.
Spinacia oleracea L.
Valerianella locusta (L.) Laterr.
Vicia faba L. partim
Zea mays L. partim
Hybrids resulting from the crossing of species referred in this Part.

PART C

Genera and species to be used for the production of fruit plants

Castanea sativa Mill.
Citrus L.
Corylus avellana L.
Cydonia oblonga Mill.
Ficus carica L.
Fortunella Swingle
Fragaria L.
Juglans regia L.
Malus Mill.
Olea europaea L.
Pistacia vera L.
Poncirus Raf.
Prunus amygdalus Batsch
Prunus armeniaca L.
Prunus avium (L.) L.
Prunus cerasus L.
Prunus domestica L.
Prunus persica (L.) Batsch
Prunus salicina Lindley
Pyrus L.
Ribes L.
Rubus L.
Vaccinium L.

PART D

Genera and species to be used for the production of vine

Vitis L.

PART E

Genera and species to be used for the production of potatoes

Solanum tuberosum L.

ANNEX II
REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF PRE-BASIC,
BASIC AND CERTIFIED SEEDS AND MATERIAL AS REFERRED TO IN
ARTICLE 7

PART A
REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF PRE-BASIC,
BASIC AND CERTIFIED SEEDS OF AGRICULTURAL AND VEGETABLE
SPECIES

- 1. General requirements for the production of pre-basic, basic and certified seeds**
 - A. Sowing or planting:**
 - (a) The variety of the seed sown, including where applicable mother plants, shall be identified through an official label or a label issued by the professional operator, and shall be recorded to ensure its traceability. The label, or the records on the mother plant, shall be retained by the professional operator until the issuance of the official label of the marketed seed.
 - (b) The previous cropping of the field shall be compatible with the production of seed of the species, variety and category of the crop, and the field shall be sufficiently free from such plants, which may have remained from previous cropping (volunteers).
 - (c) The mother plants or seed shall be planted and/or sowed in a way, which assures:
 - (i) sufficient distance from pollen sources of the same species and/or different varieties, from any undesirable foreign pollination, so as to avoid cross pollination with other crops, where applicable; and
 - (ii) an appropriate source and level of pollination to ensure the subsequent reproduction, where applicable.
 - (d) The quality of soil, substrates, mother plants and the immediate environment shall be inspected to avoid presence of pests or their vectors, in accordance with Regulation (EU) 2016/2031.
 - (e) The machines and any equipment used shall be inspected, and weed or seed from other species or varieties shall be removed.
 - (f) Where appropriate, the production of seeds shall take place separately from the cultivation of seeds belonging to the same genera or species intended for the production of food or feed, to ensure the fulfillment of the requirements applicable only for the PRM concerned.
 - (g) Where applicable, *in vitro* propagation may also be used for the reproduction of seeds.
 - B. Field cultivation:**
 - (a) It shall be ensured that plants of other species, other varieties, appearing as varietal impurity, obviously differing from the variety in one or more characteristics from the variety description ('off-type'), in the field, are absent.

Where this is not possible due to the characteristics of the species concerned, they shall be present up to the lowest possible level.

In the case of presence of off-types or other plant species or varieties during the cultivation stage, or during seed processing, appropriate treatment and/or elimination shall be applied to ensure varietal identity and purity of the seed, and to avoid the presence of any undesirable species.

- (b) The plants shall be treated or excluded as a source of PRM in case of positive test results or visual symptoms of pests, in accordance with Regulation (EU) 2016/2031, or defects.
- (c) PRM, including, where applicable, mother plants, shall be maintained in a way to ensure the identity of the variety. That maintenance shall be based on the official description or the officially recognised description of the variety.
- (d) The mother plants shall be maintained in all phases of production, under conditions to enable the production of seeds, and permit their identification with the official description of their variety.
- (e) All crops in the field shall be inspected officially or under official supervision at their relevant growth stage(s), at the relevant frequency and with the relevant methods, as appropriate, for the species concerned to verify the respective requirements. The methods for inspections shall be in accordance with the applicable international standards. If it is not possible to remove or separate non-compliant plants during the growing phase, the entire field shall be discarded for seed production, unless the undesirable seeds can be mechanically separated at a later stage.

C. Harvesting and post-harvesting:

- (a) The seed shall be harvested in bulk or as individual plants, as appropriate, to ensure its identity and purity and a correct traceability.
- (b) A sample of seed shall be taken from each sealed lot. The sample size and the sampling intensity, equipment and method shall be appropriate for the species concerned and in accordance with the applicable international standards.
- (c) All seed samples shall be subjected to laboratory testing, to ensure the fulfilment of the quality requirements for the respective species. Laboratory testing shall be carried out in accordance with methods, equipment and growing media appropriate for the species concerned, and in accordance with the applicable international standards. Testing shall include, where appropriate, retesting of germination rate after a certain period appropriate to the species concerned.
- (d) All the seed lots belonging to the pre-basic, basic category, or certified category if it will be used for the production of further seed generations, and at least 5% of the seed lots belonging to a certified category that will be no longer multiplied, are subject to control plot-testing by the operator, under official supervision, to verify the compliance with:
 - (i) their varietal identity;
 - (ii) the standards of the minimum varietal purity; and
 - (iii) the plant health requirements.

Seed lots belonging to the pre-basic, basic, or certified category shall be subject to risk-based official post-control testing to verify the compliance with the previous requirements. The samples used for the official post-control tests shall be taken officially.

Control plot-testing shall be carried out in accordance with the applicable international standards.

Appropriate bio-molecular methods may be utilised.

2. Requirements for the marketing of seeds

The seed shall fulfil all of the following quality requirements, depending on the characteristics of each genus or species and the category concerned:

- (a) have a minimum germination to allow an appropriate number of plants per square metre after sowing, and consequently to secure the yield and quality of the production;
- (b) have a maximum content of hard seed to allow an appropriate number of plant per square metre;
- (c) have a minimum purity to secure the highest level of varietal identity;
- (d) have a maximum moisture content to ensure the preservation of the material during processing, storage and making available on the market;
- (e) have a maximum content of seeds of other genera or species to ensure the lowest presence of undesirable plants in the lot;
- (f) have a minimum vigour, defined dimension and specific grading to ensure the appropriateness of the material and the sufficient homogeneity of the lot for sowing or planting;
- (g) have a maximum presence of earth or extraneous matter to prevent fraudulent practices and technical impurities; and
- (h) be free from specific defects and damages to ensure the quality and health of the material.

PART B REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF PRE-BASIC, BASIC AND CERTIFIED MATERIAL OF AGRICULTURAL AND VEGETABLE SPECIES

1. Requirements for the production of pre-basic, basic and certified material

A. Sowing or planting:

- (a) The identity of the material, including, where applicable, mother plants or seed sown, shall be determined through an official label or a label issued by the professional operator, and recorded by the professional operator to ensure its traceability. The label of the material after the marketing of that material, or the records on the mother plant, shall be kept by the professional operator.
- (b) The material shall be planted in a way that:
 - (i) the pre-basic material is maintained in facilities that ensure freedom from infection through aerial vectors and any other possible sources throughout the production process;

- (ii) there is sufficient distance from other plants of the same genera or species, determined on the basis of botanical characteristics and breeding techniques of each species, and as appropriate for the category of the material, to ensure protection from any undesirable foreign pollination and to avoid cross pollination with other crops; and
- (iii) planting densities are adequate to allow plants to be observed individually.
- (c) Where appropriate, the cultivation of material shall take place separately from the cultivation of material belonging to the same genera or species intended for food or feed purposes.

B. Field cultivation:

- (a) During all stages of cultivation, propagating and planting material shall be kept separate from each other.
- (b) PRM satisfying the requirements for a given category shall not be mixed with material of other categories.
- (c) Off-types and deformed or damaged plants shall be disposed of at all stages of cultivation.
- (d) Mother plants shall be treated or excluded as a source of PRM in case of positive test results or visual symptoms of pests, in accordance with Regulation (EU) 2016/2031 or defects.
- (e) Mother plants shall be maintained in all phases of cultivation, under conditions to enable the production of PRM, and to permit their identification and verification of compliance with the official description or the officially recognised description of their variety. In the case of mother plants not belonging to a variety, that verification of compliance with the official description or the officially recognised description shall concern the species to which those mother plants belong.
- (f) Mother plants shall be inspected at their relevant growth stage(s), at the relevant frequency and with the relevant methods as appropriate for the genera or species concerned.
- (g) The sample to be drawn from a lot shall have the appropriate minimum size for determining the fulfilment of the quality requirements for the respective genera or species. The intensity, equipment and method of sampling shall be appropriate for the genera or species concerned and in accordance with the applicable international standards.
- (h) Testing shall be carried out in accordance with the methods, equipment and growing media appropriate for the genera or species concerned, and in accordance with the applicable international standards, to ensure that the quality requirements have been fulfilled.

C. Harvesting and post-harvesting for species and genera belonging to Part E of Annex I (seed potatoes):

- (a) The material shall be harvested in bulk or as individual plants, as appropriate, to ensure its identity, health and traceability.

- (b) A sample of tubers shall be taken from each sealed lot. The sample size and the sampling intensity, equipment and method shall be appropriate for the species concerned and in accordance with the applicable international standards.
- (c) All tubers samples shall be subjected to laboratory testing, to ensure the fulfilment of the quality and phytosanitary requirements for the respective species. Laboratory testing shall be carried out in accordance with methods, equipment and growing media appropriate for the species concerned, and in accordance with the applicable international standards.
- (d) All the lots belonging to the pre-basic or basic category, and at least 5% of the lots belonging to a certified category, shall be subject to control plot-testing by the operator, under official supervision of the competent authority, to verify the compliance with:
 - (i) their varietal identity;
 - (ii) the standards of the minimum varietal purity;
 - (iii) their germination capacity;
 - (iv) the plant health requirements.

Lots belonging to the pre-basic, basic, or certified category shall be subject to risk-based official post-control testing to verify the compliance with the previous requirements. The samples used for the official post-control tests shall be taken officially.

Control plot-testing shall be carried out in accordance with the applicable international standards.

Appropriate bio-molecular methods may be utilised.

2. Requirements for the marketing of pre-basic, basic and certified material

The material shall fulfil all of the following requirements, depending on the characteristics of each genus or species and the category concerned:

- (a) have minimum vigour or germination rate, defined dimension, and, where applicable, specific grading, to ensure the appropriateness of the material and sufficient homogeneity of the lot for planting;
- (b) be practically free from specific defects.

PART C

REQUIREMENTS FOR THE PRODUCTION, REGISTRATION AND MARKETING OF SELECTED CLONES, MULTICLONAL MIXTURES AND POLYCLONAL PRM OF PRE-BASIC, BASIC AND CERTIFIED MATERIAL AS REFERRED TO IN ARTICLE 9 (1)

1. Requirements for the production of pre-basic, basic and certified selected clones, multiclonal mixtures and polyclonal PRM

A. Planting:

- (a) The identity of the selected clone, multiclonal mixture or polyclonal PRM shall be determined through an official label or a label issued by the professional

operator and recorded by the professional operator to ensure its traceability. The label of the material or the records, on the respective mother plants for the production of each selected clone and the respective genotypes for the production of the polyclonal PRM, shall be kept by the professional operator after the marketing of that PRM.

- (b) The material shall be planted in a way that:
 - (i) there is sufficient distance from other plants of the same genera or species, determined on the basis of botanical characteristics for each species and as appropriate for the category of the material, to ensure protection from any undesirable foreign pollination and to avoid cross pollination with other crops;
 - (ii) planting densities are adequate to allow each plant to be observed individually.
- (c) Where appropriate, the cultivation of material shall take place separately from the cultivation of material belonging to the same genera or species intended for food or feed purposes.

B. Field cultivation:

- (a) During all stages of cultivation, propagating and planting material shall be kept separate from each other.
- (b) Reproductive material satisfying the requirements of a given category shall not be mixed with material of other categories.
- (c) Off-types and deformed or damaged plants shall be disposed of at all stages of cultivation in order to ensure varietal identity and purity, or, in the case of rootstocks not belonging to a variety, trueness to the identity of the species, and efficient production.
- (d) The respective mother plants and the respective genotypes shall be excluded as a source of PRM in case of defects.
- (e) The respective mother plants and the respective genotypes shall be maintained in all phases of cultivation, under conditions to enable the production of PRM, and to permit their identification and verification of compliance with the official description or the officially recognised description of their variety. In the case of mother plants not belonging to a variety, that verification of compliance with the official description or the officially recognised description shall concern the species to which those mother plants belong.
- (f) Mother plants shall be inspected at their relevant growth stage(s), at the relevant frequency and with the relevant methods as appropriate for the genera or species concerned.
- (g) The sample to be drawn from a lot shall have the appropriate minimum size for determining the fulfilment of the quality requirements for the respective genera or species. The intensity, equipment and method of sampling shall be appropriate for the genera or species concerned and in accordance with the applicable international standards.

- (h) Testing shall be carried out in accordance with the methods, equipment and growing media appropriate for the genera or species concerned, and in accordance with the applicable international standards, to ensure that the quality requirements have been fulfilled.
- (i) In the case of multiclonal mixtures, the mixture of selected clones constituting the multiclonal mixture shall be made before the final packaging of that PRM and shall include identical proportions of all selected clones that constitute the multiclonal mixture.
- (j) In the case of polyclonal PRM, the mixture of genotypes constituting the polyclonal PRM shall be made before the final packaging of that PRM and shall include identical proportions of all genotypes that constitute the polyclonal PRM.

2. ***Requirements for the registration of a selected clone, multiclonal mixture and polyclonal PRM***

- (a) The applicant shall submit an application to the competent authority indicating:
 - (i) species and, as applicable, variety to which the selected clone, multiclonal mixture or polyclonal PRM belongs, whereby the variety shall be registered in a national variety register referred to in Article 44;
 - (ii) proposed denomination and synonyms;
 - (iii) where applicable, description of the composition of the multiclonal mixture or polyclonal PRM;
 - (iv) the maintainer of the selected clone, multiclonal mixture or polyclonal PRM;
 - (v) reference to the description of the main characteristics of the variety to which the selected clone, multiclonal mixture or polyclonal PRM belongs;
 - (vi) description of the main VSCU characteristics of the selected clone, multiclonal mixture or polyclonal PRM;
 - (vii) the estimated genetic gain of the selected clone, multiclonal mixture or polyclonal PRM in relation to the overall performance of the relevant variety;
 - (viii) information on whether the selected clone, multiclonal mixture or polyclonal PRM is already registered in a register of another Member State.
- (b) The selected clone, multiclonal mixture or polyclonal PRM shall fulfil the following requirements as appropriate for the type of material concerned in order to be registered:
 - (i) the polyclonal PRM shall be selected in a single field trial containing a representative sample of the overall genetic diversity of the variety according to an experimental design based on internationally accepted methods. In the case of polyclonal PRM of vine that design shall be based on methods prescribed by the International organisation of vine and wine;

- (ii) in the case of vine propagating material, the polyclonal PRM shall be composed of 7 to 20 distinct genotypes;
- (iii) the trueness of the selected clone, each selected clone of the multiclonal mixture, each genotype of the polyclonal PRM to the identity of the variety shall be ensured through the observation of the phenotypic characteristics and, where appropriate, through molecular analysis pursuant to internationally accepted standards.

The competent authority shall decide on the registration only after it concludes that the points (i) - (iii) as applicable for the type of material are fulfilled.

- (c) The requirements for the marketing of pre-basic, basic and certified material as set out in Part B point 2 shall apply accordingly.

PART D

REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF PRE-BASIC, BASIC AND CERTIFIED SEED OF FRUIT PLANTS, VINE AND SEED POTATOES

1. Requirements for the production of pre-basic, basic and certified seed of fruit plants, vine and seed potatoes

A. Sowing or planting:

- (a) The mother plants and, where appropriate, the pollinator plants shall be planted in a way that:
 - (i) there is sufficient distance from other plants of the same genera or species, determined by the botanical characteristics and breeding techniques and as appropriate for the category of the material, to ensure protection from any undesirable foreign pollination and to avoid cross pollination with other crops; and
 - (ii) planting densities are adequate to allow plants to be observed individually.
- (b) Where appropriate, the cultivation of material shall take place separately from the cultivation of material belonging to the same genera or species intended for food or feed purposes.

B. Field cultivation:

- (a) During all stages of cultivation, propagating and planting material shall be kept separate from each other.
- (b) Reproductive material satisfying the requirements of a given category shall not be mixed with material of other categories.
- (c) The flowering mother plant shall be subject to self-pollination or cross-pollination with pollen from the surrounding pollinator plants, as appropriate for the genera or species concerned.
- (d) Off-types and deformed or damaged plants shall be disposed of at all stages of cultivation in order to ensure trueness to the identity of the variety, or for plants not belonging to a variety, to ensure the trueness to the identity of the species to which they belong, their sufficient purity and efficient production.

- (e) Mother plants and pollinator plants shall be excluded as a source of seeds in case of defects.
- (f) Mother plants shall be maintained in all phases of cultivation, under conditions to enable the production of seeds. Mother plants and pollinator plants shall be maintained in all phases of cultivation, under conditions permitting their identification and verification of compliance with the official description or the officially recognised description of their variety. In the case of mother plants and pollinator plants not belonging to a variety, that verification of compliance with the official description or the officially recognised description shall concern the species to which those mother plants and pollinator plants belong.
- (g) Mother plants and pollinator plants shall be inspected at their relevant growth stage(s), at the relevant frequency and with the relevant methods as appropriate for the genera or species concerned.
- (h) The sample to be drawn from a lot shall have the appropriate minimum size for determining the fulfilment of the quality requirements for the respective genera or species. The intensity, equipment and method of sampling shall be appropriate for the genera or species concerned and in accordance with the applicable international standards.
- (i) Testing shall be carried out in accordance with the methods, equipment and growing media appropriate for the genera or species concerned, and in accordance with the applicable international standards, to ensure that the quality requirements have been fulfilled.

2. Requirements for the marketing of pre-basic, basic and certified seed of fruit plants, vine and seed potatoes

The seed shall fulfil all of the following quality requirements, depending on the characteristics of each genus or species and the category concerned:

- (a) belong to the variety and, in the case of seeds not belonging to a variety, to the species;
- (b) have minimum vigour, defined dimension, and, where applicable, specific grading, to ensure the appropriateness of the material and sufficient homogeneity of the lot for planting; and
- (c) be practically free from specific defects and damages to ensure the quality of the seeds.

PART E

REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF PRE-BASIC, BASIC AND CERTIFIED MATERIAL PRODUCED BY *IN VITRO* PROPAGATION

1. Requirements for the production of pre-basic, basic and certified material produced by *in vitro* propagation

A. *In vitro* culture

- (a) The identity of the *in vitro* or *in vivo* material, as applicable, shall be determined through a label and recorded to ensure its traceability. The label of the material shall be kept.
- (b) Material that has been sampled from *in vivo* material shall be sanitised.

B. *In vitro* production

- (a) The clone(s) that originate from the material referred to under point A.(a) shall be produced by *in vitro* propagation.
- (b) During all stages of cultivation, propagating and planting material shall be kept separate from each other.
- (c) Clone(s) satisfying the requirements of a given PRM category shall not be mixed with clone(s) of other categories.
- (d) The number of successive propagation cycles by *in vitro* propagation shall be restricted, as appropriate, for the genera or species concerned.
- (e) Clone(s) shall be maintained in all phases of production, under conditions to enable the production of PRM, and permitting their identification and verification of compliance with the official description or the officially recognised description of their variety. In the case of clone(s) not belonging to a variety, that verification of compliance with the official description or the officially recognised description shall concern the species to which those clone(s) belong.
- (f) Clone(s) shall be inspected at their relevant growth stage(s), at the relevant frequency and with the relevant methods as appropriate for the genera or species concerned.
- (g) The sample to be drawn from a lot shall have the appropriate minimum size for determining the fulfilment of the quality requirements for the respective genera or species. The intensity, equipment and method of sampling shall be appropriate for the genera or species concerned and in accordance with the applicable international standards.
- (h) Testing shall be carried out in accordance with the methods, equipment and growing media appropriate for the genera or species concerned, and in accordance with the applicable international standards, to ensure that the quality requirements have been fulfilled.

2. Requirements for the marketing of pre-basic, basic and certified material produced by *in vitro* propagation

The *in vitro* or *in vivo* material shall fulfil all of the following requirements, depending on the characteristics of each genus or species and the category concerned:

- (a) belong to the variety and, in the case of material not belonging to a variety, belong to the species indicated on the label by:
 - (i) observing the phenotypic characteristics of the *in vivo* material referred to under point A.(a);
 - (ii) producing *in vivo* plants from the *in vitro* material referred to under point A.(a) and observing the phenotypic characteristics of those plants;
 - (iii) producing *in vivo* plants from the clone(s) referred to under point B.(a) and observing the phenotypic characteristics of those plants; and
 - (iv) where appropriate, molecular analysis of the *in vitro* material referred to under point A.(a) and/or the clone(s) referred to under point B.(a);
- (b) have minimum vigour, defined dimension, and, where applicable, specific grading, to ensure the appropriateness of the material and sufficient homogeneity of the lot for planting;

- (c) be practically free from specific defects and damages.

ANNEX III
REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF STANDARD
SEED AND MATERIAL AS REFERRED TO IN ARTICLE 8

PART A
REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF STANDARD
SEED OF AGRICULTURAL AND VEGETABLE SPECIES

1. General requirements for the production of standard seed

A. Sowing or planting:

- (a) The variety of the seed sown, including where applicable, mother plants, shall be determined to ensure its traceability. The label of the material, or the records on the mother plant, shall be kept at least for 2 years.
- (b) The previous cropping of the field shall not have been incompatible with the production of seed of the species and variety of the crop, and the field shall be sufficiently free from such plants, which may have remained from previous cropping (volunteers).
- (c) The mother plants or seed shall be planted and /or sowed in a way that there is:
 - (i) sufficient distance from pollen sources of the same species and/or the different varieties, in accordance with isolation rules determined on the basis of botanical characteristics for each species and breeding techniques, to ensure protection from any undesirable foreign pollination and to avoid cross pollination with other crops, where applicable; and
 - (ii) an appropriate source and level of pollination to ensure the subsequent reproduction, where applicable.
- (d) The quality of soil, substrates, mother plants and the immediate environment shall be inspected to avoid presence of pests or their vectors, in accordance with Regulation (EU) 2016/2031.
- (e) Appropriate attention shall be paid to the machines and any equipment used to ensure absence of weed or other species, which are difficult to distinguish in laboratory tests.
- (f) Where appropriate, the production of seeds shall take place separately from the cultivation of seeds belonging to the same genera or species intended for the production of food or feed, to ensure health of the material concerned.
- (g) Where applicable, *in vitro* propagation may also be used for the reproduction of seeds.

B. Field production:

- (a) It shall be ensured that off-types, in the field, are absent. Where this is not possible due to the characteristics of the species concerned, they shall be present up to the lowest possible level.

In the case of presence of off-types or other plant species, or varieties, during the cultivation stage, or during seed processing, appropriate treatment and/or elimination shall be applied to ensure varietal identity and purity of the seed, and to avoid the presence of any undesirable species.

- (b) The plants shall be treated or excluded as a source of PRM in case of positive test results or visual symptoms of pests, in accordance with Regulation (EU) 2016/2031 or defects.
- (c) PRM, including, where applicable, mother plants, shall be maintained in a way to ensure the identity of the variety. That maintenance shall be based on the official description or the officially recognised description of the variety.
- (d) The mother plants shall be maintained in all phases of production, under conditions to enable the production of seeds, and permitting their identification and verification of compliance with the official description of their variety.
- (e) All crops in the field shall be inspected at their relevant growth stage(s), at the relevant frequency and with the relevant methods, as appropriate, for the species concerned to verify the respective requirements. The methods for inspections shall be such to ensure the reliability of the observations. If it is not possible to remove or separate non-compliant plants during the growing phase, the entire field shall be discarded for seed production, unless the undesirable seeds can be mechanically separated at a later stage.

C. Harvesting and post-harvesting:

- (a) The seed shall be harvested in bulk or as individual plants, as appropriate, to ensure its identity, purity and traceability.
- (b) A sample of seed shall be taken from each lot and tested in a laboratory to ensure the fulfilment of the quality requirements for the respective species, including germination. Testing shall include, where appropriate, retesting of germination rate after a certain period appropriate to the species concerned.
- (c) Seed lots shall be subject to risk-based official post-control-testing to verify the compliance with:
 - (i) their varietal identity;
 - (ii) the standards of the minimum varietal purity;
 - (iii) their germination capacity; and
 - (iv) the plant health requirements.

The samples used for the official post-control tests shall be taken officially.

Appropriate bio-molecular methods may be utilised.

2. Requirements for marketing of standard seed

The seed shall fulfil all of the following quality requirements, depending on the characteristics of each genus or species:

- (a) have at least a minimum germination, to allow an appropriate number of plants per square metre after sowing, and consequently to secure the yield and quality of the production;
- (b) have at most a maximum content of hard seed, to allow an appropriate number of plants per square metre;
- (c) have at least a minimum purity, to secure the highest level of varietal identity;
- (d) have at most a maximum moisture content, to ensure the preservation of the material during processing, storage and making available on the market;

- (e) have at most a maximum content of seeds of other genera or species, to ensure the lowest presence of undesirable plants in the lot;
- (f) have sufficient vigour, defined dimension and specific grading, to ensure appropriateness of the material and sufficient homogeneity of the lot for sowing or planting;
- (g) have a maximum presence of earth or extraneous matter, to prevent fraudulent practices and technical impurities; and
- (h) be free from specific defects and damage to ensure the quality and health of the material.

PART B

REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF STANDARD MATERIAL OF AGRICULTURAL AND VEGETABLE SPECIES

With the exception of point (b)(i) thereof, Part B of Annex II shall apply accordingly for the production and marketing of standard material.

PART C

REQUIREMENTS FOR THE REGISTRATION, PRODUCTION AND MARKETING OF SELECTED CLONES, MULTICLONAL MIXTURES AND POLYCLONAL PRM OF STANDARD MATERIAL AS REFERRED TO IN ARTICLE 9 (1)

Vine rootstocks may not be marketed as standard material.

Part C of Annex II shall apply accordingly for the registration, production and marketing of selected clones, multiclonal mixtures and polyclonal PRM of standard material.

PART D

REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF STANDARD SEED OF FRUIT PLANTS, VINE AND SEED POTATOES

Part D of Annex II shall apply accordingly for the production and marketing of standard seed of fruit plants, vine and seed potatoes.

PART E

REQUIREMENTS FOR THE PRODUCTION AND MARKETING OF STANDARD MATERIAL PRODUCED BY *IN VITRO* PROPAGATION

Part E of Annex II shall apply accordingly for the production and marketing of standard material produced by *in vitro* propagation.

ANNEX IV
GENERA AND SPECIES WHICH MAY ONLY BE PRODUCED AND MARKETING
AS PRE-BASIC, BASIC OR CERTIFIED SEED OR MATERIAL, IN ACCORDANCE
WITH ARTICLE 20(1)

PART A
GENERA AND SPECIES TO BE USED FOR THE PRODUCTION OF
AGRICULTURAL CROPS, OTHER THAN VEGETABLES WHICH MAY ONLY BE
PRODUCED AND MARKETING AS PRE-BASIC, BASIC OR CERTIFIED SEED

Agrostis canina L.

Agrostis capillaris L.

Agrostis gigantea Roth.

Agrostis stolonifera L.

Alopecurus pratensis L.

Arachis hypogaea L.

Arrhenatherum elatius (L.) P. Beauv. ex J. Presl & C. Presl.

Avena nuda L.

Avena sativa L.(including *A. byzantina* K. Koch.)

Avena strigosa Schreb.

Beta vulgaris L.

Brassica juncea (L.) Czern.

Brassica napus L. var. *napobrassica* (L.) Rchb.

Brassica napus L. var. *napus*

Brassica nigra (L.) W.D.J. Koch

Brassica oleracea L. convar. *acephala* (DC.) Alef. var. *medullosa* Thell. + var. *varidis* L.

Brassica rapa L.

Bromus catharticus Vahl

Bromus sitchensis Trin.

Cannabis sativa L.

Carthamus tinctorius L.

Carum carvi L.

Cynodon dactylon (L.) Pers.

Dactylis glomerata L.

Festuca arundinacea Schreb.

Festuca filiformis Pourr.

Festuca ovina L.

Festuca pratensis Huds.
Festuca rubra L.
Festuca trachyphylla (Hack.) Krajina
xFestulolium Asch. et Graebn.
Galega orientalis Lam.
Glycine max (L.) Merrill
Gossypium L.
Hedysarum coronarium L.
Helianthus annuus L.
Hordeum vulgare L.
Linum usitatissimum L.
Lolium × *boucheanum* Kunth
Lolium multiflorum Lam.
Lolium perenne L.
Lotus corniculatus L.
Lupinus albus L.
Lupinus angustifolius L.
Lupinus luteus L.
Medicago lupulina L.
Medicago sativa L.
Medicago × *varia* T. Martyn
Onobrychis viciifolia Scop.
Oryza sativa L.
Papaver somniferum L.
Phacelia tanacetifolia Benth.
Phalaris aquatica L.
Phalaris canariensis L.
Phleum nodosum L.
Phleum pratense L.
Pisum sativum L.
Poa annua L.
Poa nemoralis L.
Poa palustris L.
Poa pratensis L.
Poa trivialis L.

Raphanus sativus L.
Secale cereale L.
Sinapis alba L.
Solanum tuberosum L.
Sorghum bicolor (L.) Moench
Sorghum bicolor (L.) Moench × *Sorghum sudanense* (Piper) Stapf.
Sorghum sudanense (Piper) Stapf.
Trifolium alexandrinum L.
Trifolium hybridum L.
Trifolium incarnatum L.
Trifolium pratense L.
Trifolium repens L.
Trifolium resupinatum L.
Trigonella foenum-graecum L.
Trisetum flavescens (L.) P. Beauv.
xTriticosecale Wittm. ex A. Camus.
Triticum aestivum L.
Triticum durum Desf.
Triticum spelta L.
Vicia faba L.
Vicia pannonica Crantz .
Vicia sativa L.
Vicia villosa Roth.
Zea mays L.

PART B
GENERA AND SPECIES WHICH MAY ONLY BE PRODUCED AND MARKETING
AS PRE-BASIC, BASIC OR CERTIFIED MATERIAL

Solanum tuberosum L.

ANNEX V
PRODUCTION AND MARKETING REQUIREMENTS FOR PRESERVATION
MIXTURES AS REFERRED TO IN ARTICLE 22

1. Source area

Competent authorities may designate specific source areas for the preservation mixtures, with which such mixtures are naturally associated. For that purpose, they shall take into account information from plant genetic resource authorities or organisations recognised for this purpose by the Member States.

Where the source area is located in more than one Member State, it shall be identified by a common agreement of all Member States concerned.

2. Species

The species and, where relevant, subspecies, used in preservation mixtures shall be:

- (a) typical for the habitat type of the source area;
- (b) of importance for the preservation of the natural environment in the context of conservation of genetic resources, as components of the mixture;
- (c) adequate for the purpose of recreating the habitat type of the source area.

The preservation mixture shall not contain the species *Avena fatua*, *Avena sterilis* and *Cuscuta* spp.

The maximum content of *Rumex* spp., other than *Rumex acetosella* and *Rumex maritimus*, shall not exceed 0,05 % by weight.

3. Authorisation of professional operators

Professional operators shall be authorised prior to the production of preservation mixtures.

The professional operator shall submit an application for the authorisation referred to in Article 22(1), including all of the following elements:

- (a) name and address of the professional operator;
- (b) harvesting method: whether the mixture is directly harvested or multiplied;
- (c) components as species and, where relevant, subspecies and varieties of the preservation mixture; which are typical for the habitat type of the source area site and which are, as components of the mixture, of importance for the preservation of the natural environment in the context of the conservation of genetic resources;
- (d) quantity of the mixture to which the authorisation is to apply;
- (e) source area of the mixture;
- (f) collection site, and in the case of a multiplied preservation mixture, in addition, the multiplication site;
- (g) habitat type of the source area of the mixture; and
- (h) year of collection.

The application shall be accompanied by the information necessary to verify compliance with requirements set out in point 4 in the case of directly harvested preservation mixtures, or point 5 in the case of multiplied preservation mixtures.

Competent authorities may issue an authorisation which shall include the authorisation date and the scope of the authorisation, according to the operator application and the compliance of the requirements, and the restriction to marketing in the source area.

Professional operators before the beginning of each production season shall notify the quantity of seed of preservation mixtures, for which the authorisation is intended, together with size and location of the intended collection site or sites and the date or dates of collection.

4. Production of directly harvested preservation mixtures

Directly harvested preservation mixtures shall comply the following requirements:

- (a) a seed mixture that has been collected at the source area ('directly harvested preservation mixture') shall be collected at a site which has not been sown in the 40 years previous to the date of the authorisation;
- (b) the percentage of the components of the directly harvested preservation mixture that are species and, where relevant, subspecies, shall be adequate for the purpose of recreating the habitat type of the source area;
- (c) the maximum content of species and, where relevant, subspecies which do not comply with point (b) shall not exceed 1 % by weight;
- (d) the competent authorities may carry out visual inspections on the collection site during the period of growth at intervals appropriate, and during the collection activities, to ensure that the mixture complies with the requirements provided for this preservation mixtures; they shall document the results thereof.
- (e) tests shall be carried out officially, or under the official supervision of the competent authority, to check that the preservation mixture complies with the requirements provided; such tests shall be carried out in accordance with current international methods, or, where such methods do not exist, in accordance with any appropriate methods;
- (f) samples shall be drawn from homogenous lots, and shall be sufficient to carry out the test referred to in point (e).

5. Production of multiplied preservation mixtures

Preservation mixtures seeds may be also multiplied by an authorized operator in accordance with the following process:

- (a) seed of individual species is taken at the source area, or is a directly harvested preservation mixtures purchased to other operator;
- (b) the seed referred to in point (a) is multiplied outside the source area as single species. Multiplication may take place for five generations;
- (c) the seeds of those species are then mixed to create a mixture which is composed of those genera, species and, where relevant, subspecies which are typical for the habitat type of the source area;
- (d) this mixture may also include seed from species listed in Part A of Annex I that has been produced conventionally, if it complies with point (c);
- (e) the collected seed from which the preservation mixture is multiplied shall have been collected in its source area at a collection site which has not been sown in

the 40 years previous to the date of the authorization by the operator, referred to in point 3.

- (f) the seed of the multiplied preservation mixture shall be of species and, where relevant, subspecies which are typical for the habitat type of the source area and which are, as components of the mixture, of importance for the preservation of the natural environment in the context of conservation of genetic resources;
- (g) the germination rate of the components referred to in point (f) shall be sufficient for the purpose of recreating the habitat type of the source area;
- (h) the maximum content of species and, where relevant, subspecies which do not comply with point (g) shall not exceed 1 % by weight;
- (i) components of a multiplied preservation mixture which are seeds of species listed in Part A of Annex I shall, before mixing, comply at least with the requirements for standard seed for the concerned species;
- (j) tests shall be carried out officially or under official supervision of the Member State to check that the preservation mixture complies with the requirements provided. Such tests shall be carried out in accordance with current international methods, or, where such methods do not exist, in accordance with any appropriate methods;
- (k) samples shall be drawn from homogenous lots, and shall be sufficient to carry out the test referred to in point (j).

ANNEX VI
REQUIREMENTS FOR PRODUCTION AND MARKETING OF PRM OF
HETEROGENEOUS MATERIAL AS REFERRED TO IN ARTICLE 27(2)

A. Notification of heterogeneous material

PRM of heterogeneous material as referred to in Article 27 (2) may be marketed following a notification of the heterogeneous material by the professional operator to the competent authorities, made by means of a dossier containing:

- a) the contact details of the applicant;
- b) the species and denomination of the heterogeneous material;
- c) the description of the heterogeneous material as referred in point B
- d) a declaration by the applicant concerning the truth of the elements in points (a), (b) and (c).
- e) a representative sample

The notification shall be sent by registered letter or by any other means of communication accepted by the competent authorities with confirmation of receipt requested. Three months after the date shown on the return receipt provided that no additional information was requested or that non formal refusal for reasons of incompleteness of the notification was communicated to the supplier, the competent authority shall be deemed to have acknowledged the notification and its content, and the heterogeneous material shall be included in the heterogeneous material register.

B. Description of the heterogeneous material

1. The description of heterogeneous material shall include all of the following elements:
 - (a) a description of its characteristics, including:
 - (i) the phenotypic characterisation of the key characters which are common to the material, together with the description of the heterogeneity of the material, by characterising the phenotypic diversity observable between individual reproductive units;
 - (ii) documentation of its relevant characteristics, including agronomic aspects such as yield, yield stability, suitability for low input systems, performance, resistance to abiotic stress, disease resistance, quality parameters, taste or colour;
 - (iii) any available results from tests concerning the characteristics referred to in point (ii);
 - (b) a description of the type of technique used for the breeding or production method of the heterogeneous material;
 - (c) a description of the parental material used to breed or produce the heterogeneous material and own production control programme used by the operator concerned with a reference to the practices as referred to in point B.2.(a) and, if applicable, in point B.2.(c);
 - (d) a description of the on-farm management and selection practices with a reference to point B.2.(b) and, if applicable, of the parental material with a reference to point B.2.(c);

- (e) a reference to the country of breeding or production, with information on the year of production and description of the pedo-climatic conditions.
2. The heterogeneous material may be generated by one of the following techniques:
- (a) crossing of several different types of parental material, using crossing protocols to produce diverse heterogeneous material by bulking of the progeny, repeatedly re-sowing and exposing the stock to natural and/or human selection, provided that this material shows a high level of genetic diversity;
 - (b) on-farm-management practices, including selection, establishing or maintaining material, which is characterized by a high level of genetic diversity;
 - (c) any other technique used for breeding or production of heterogeneous material, taking into account particular features of propagation.

C. Requirements concerning the identity of PRM lots of heterogeneous material

PRM of heterogeneous material shall be identifiable on the basis of all of the following elements:

- (a) the initial material and the production scheme used in the crossing for creation of the heterogeneous material, as provided for in point B.2.(a) or, if applicable, in point B.2.(c), or the history of the material and the on-farm management practices, including whether the selection has occurred naturally and/or through human intervention, in the cases of points B.2.(b) and point B.2.(c);
- (b) the country of breeding or production; and
- (c) characterisation of the common key characters and of the phenotypic heterogeneity of the material.

D. Requirements concerning the sanitary quality, analytical purity and germination of PRM of heterogeneous material

1. PRM of heterogeneous material shall comply with the requirements for the analytical purity and germination requirements for seed and the quality requirements for other material of the lowest category for the respective species.

The plants shall be treated or excluded as a source of PRM, in case of defects or positive test results or visual symptoms of pests in accordance with Regulation (EU) 2016/2031.

2. By way of derogation from point D.1, professional operators may place on the market PRM of heterogeneous material which does not satisfy the conditions with respect to germination, provided that the operator indicates the germination rate of the PRM concerned on the label or directly on the package.

E. Requirements for packaging and labelling of PRM of heterogeneous material

1. PRM of heterogeneous material shall be contained in small packages and in maximum quantities as defined in point H. However, they may be contained in other packages or containers, only if these are closed in such a manner that they cannot be opened without leaving evidence of tampering on the package or container.
2. The professional operators shall affix on packages or containers of PRM of heterogeneous material a label in at least one of the official languages of the Union.

That label shall:

- (i) be legible, printed or written on one side, newly issued and easily visible;
 - (ii) include the information set out in point G of this Annex, except where that information is printed or written directly on the package or the container; and
 - (iii) be yellow, with a green diagonal cross.
3. In the case of small, transparent packages, the label may be placed inside the package provided it is clearly legible.
 4. By way of derogation from points E.1 and E.2, PRM of heterogeneous material contained in closed and labelled packages and containers may be sold to final users in unmarked and unsealed packages up to the maximum quantities provided for in point H, if on request, the purchaser is informed in writing at the time of delivery, about the species, the denomination of the heterogeneous material and the reference number of the lot.

F. Maintenance of heterogeneous material

1. Where maintenance is possible, the professional operator who has notified the heterogeneous material to the competent authorities, shall preserve the main characteristics of the material at the time of its notification, by maintaining it as long as it remains on the market.
2. That maintenance shall be undertaken in accordance with accepted practices adapted to the maintenance of such heterogeneous material. The professional operator responsible for the maintenance shall keep records of duration and content of maintenance.
3. At all times, the competent authorities shall have access to all records kept by the professional operator responsible for the material, in order to check its maintenance. The professional operator shall keep those records for 5 years after the moment the heterogeneous material is not marketed anymore.

G. Content of the label of the packages

PRM of heterogeneous material shall be marketed in packages bearing a label containing the following elements:

- (1) the denomination of the heterogeneous material, together with the phrase 'heterogeneous material';
- (2) the indication 'EU rules and standards';
- (3) the name and address of the professional operator responsible for affixing the label, or its registration code;
- (4) country of production;
- (5) lot reference number given by the professional operator responsible for affixing the labels;
- (6) month and year of closing, following the term: 'closed';
- (7) species, indicated at least under its botanical name, which may be given in abridged form and without the authors' names;
- (8) declared net or gross weight, or declared number of PRM, except for small packages;

- (9) where weight is indicated and pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of pure seeds and the total weight; and
- (10) the germination rate, if applicable.

H. Maximum quantities of PRM of heterogeneous material in small packages

| Species | Maximum net mass (kg) |
|--|------------------------------|
| Fodder plants | 10 |
| Beet | 10 |
| Cereals | 30 |
| Oil and fiber plants | 10 |
| Potato | 30 |
| Vegetable: | |
| Legumes | 5 |
| Onions, chervil, asparagus, spinach beet or chard, red beet or beetroot, turnips, water melon, gourd, marrows, carrots, radishes, scorzonera or black salsify, spinach, corn-salad or lamb's lettuce | 0,5 |
| All other vegetable species | 0,1 |

ANNEX VII
CONTENTS OF THE NATIONAL AND UNION VARIETY REGISTERS AS
REFERRED TO IN ARTICLE 46

The national variety registers and the Union variety register shall contain all of the following elements:

- (a) the name of the genus or species to which the variety belongs;
- (b) the denomination of the variety and, for varieties marketed before the entry into force of this Regulation, where applicable, other alternative denominations used for that variety;
- (c) the name and, where applicable, the reference number, of the applicant;
- (d) the date of the registration of the variety and, where applicable, of the renewal of the registration;
- (e) the date of the end of validity of registration;
- (f) a reference to the link of the file, where the official description of the variety, or, if applicable, the officially recognised description of the variety, can be found;
- (g) in the case of varieties with officially recognised description and, if appropriate, an indication of the region(s), where the variety has historically been grown and to which it is naturally adapted ('region(s) of origin');
- (h) the name of the person responsible for the maintenance of a variety;
- (i) the name of the Member States having established the relevant national variety register(s);
- (j) the reference under which the variety has been registered in the national variety register(s);
- (k) where applicable, the indication that the variety is an 'organic variety suitable for organic production';
- (l) where applicable, the indication that the variety contains, or consists of, a genetically modified organism;
- (m) where applicable, the indication that the variety is a component variety of another registered variety;
- (n) where applicable, the indication that PRM belonging to the variety is only produced and marketed in rootstocks;
- (o) where applicable, a reference to the link of the file, where the results of the examinations for value for sustainable cultivation and use, as referred to in Article 52, can be found;
- (p) where applicable, an indication of the reproduction method of the variety, including information on whether it is a hybrid or a synthetic variety,
- (q) where applicable, the indication that the variety contains, or consists of a category 1 NGT plant within the meaning of Article 3(7) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation) and the identification number(s) referred to in Article 9(1), point (e) of [NGT Proposal] assigned to the category 1 NGT plant(s) it has been derived from;

- (r) where applicable, the indication that the variety contains, or consists of a category 2 NGT plant within the meaning of Article 3(8) of Regulation (EU) .../... (Office of Publications, please insert reference to NGT Regulation);
- (s) where applicable, indication that the variety is herbicide tolerant and indication of the applicable cultivation conditions;
- (t) where applicable, indication that the variety has certain characteristics, other than the one referred to in point (s), and indication of the applicable cultivation conditions.

ANNEX VIII
CORRELATION TABLES

| Council Directive 66/401/EC | This Regulation |
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| Article 1 | Article 1 |
| Article 1a | Article 2, Article 3 |
| Article 2(1)A | Article 2, Article 3, Article 7 |
| Article 2(1)B.1 | Article 3, Article 7 |
| Article 2(1)C | Article 3, Article 7 |
| Article 2(1)D | - |
| Article 2(1)E | Article 3 |
| Article 2(1)F | - |
| Article 2(1)G | - |
| Article 2(1), point (a) | Article 2 |
| Article 2(1), point (b) | Article 7 |
| Article 2(1), point (d) | Article 36 |
| Article 2(2) | Article 83 |
| Article 2(3)A | Article 10 |
| Article 2(3)B | Article 10 |
| Article 2(4) | Article 10 |
| Article 3(1) | Article 20 |
| Article 3(1), point (a) | - |
| Article 3(2) | - |
| Article 3(3) | Article 20 |
| Article 3(4) | Article 7 |
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| Article 14a | Article 7, Article 15 |
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| Article 15(3) | Article 35, Article 39 |

| | |
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| Annex I | Article 7 |
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| Council Directive 66/402/EC | This Regulation |
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