

ANNEX E

Seeds (Art. 11)

ARTICLE 1

Scope

This Annex applies to seeds of agricultural species covered by the legal acts listed in Appendix 1.

ARTICLE 2

Recognition of conformity of laws and regulations

1. The Member States hereby recognise that the requirements laid down in the legal acts referred to in Section 1 of Appendix 1 hereto have the same effects.
2. Seeds of the species defined in the legal acts referred to in paragraph 1 may be traded between the Member States and freely marketed in the territory of the Member States, without prejudice to Articles 6 and 7. The only document required as certification of compliance with the respective laws and regulations of the Member States shall be the label or any other document required for marketing under the said laws and regulations.
3. The bodies responsible for conformity checks shall be listed in Appendix 2.

ARTICLE 3

Mutual recognition of certificates

1. The Member States shall recognise, as regards seeds of the species covered by the legal acts referred to in Section 2 of Appendix 1, certificates as defined in paragraph 2 that have been drawn up in accordance with the laws and regulations of the other Member States by the bodies listed in Appendix 2.
2. For the purposes of paragraph 1, “certificate” means the documents required under the respective laws and regulations of the Member States applicable to imports of seeds covered by the legal acts listed in Section 2 of Appendix 1.

ARTICLE 4

Approximation of laws

1. The Member States shall endeavor to approximate their laws and regulations on the marketing of seeds of the species covered by the legal acts listed in Section 2 of Appendix 1 and of species that are not covered by the legal acts listed in Sections 1 and 2 of Appendix 1.
2. Where any Member State adopts new legislative provisions, the Member States undertake to assess the possibility of extending the scope of this Annex to include the new sector.
3. Where any Member State amends legislative provisions concerning a sector covered by this Annex, the Member States undertake to assess the consequences of such amendment.

ARTICLE 5

Committee on seeds

1. The Council shall establish a Committee on seeds (hereinafter the “Committee”) which shall consider any matter which may arise in connection with this Annex.
2. The Committee shall periodically consider the state of the laws and regulations of the Member States in the fields covered by this Annex.
3. The Committee may in particular recommend to the Council to amend the provisions of the Appendices.

ARTICLE 6

Varieties

1. The Member States shall permit in their territory the marketing of seeds of the varieties listed in the common catalogue of the European Community provided they are covered by the legal acts listed in section 1 of Appendix 1.
2. Paragraph 1 shall not apply to genetically modified varieties.
3. The Member States shall inform each other of applications, and withdrawals of applications, for acceptance, and of the registration of new varieties in a national catalogue and any amendments thereto. They shall provide each other on request with a brief description of the chief characteristics relating to the use of each new variety and the characteristics by which a variety can be distinguished from other known varieties.

Each Member State shall keep files at the disposal of the other Member States containing a description of each accepted variety and a clear summary of all the grounds on which such acceptance is based. In the case of genetically modified varieties, the Member States shall inform each other of the results of risk assessments for the release of such varieties into the environment.

4. The Member States may hold technical consultations with a view to assessing the data on which acceptance of a given variety is based in any Member State. Where appropriate, the Committee shall be kept informed of the results of such consultations.

5. The Member States shall use existing computerised information exchange systems or such systems to be developed to facilitate the exchange of information as referred to in paragraph 3.

ARTICLE 7

Derogations

1. The Member States shall inform each other of any derogations on the marketing of seeds that they intend to implement in their territory or in part thereof. In the case of derogations of short duration or which must enter into force immediately, ex-post notification shall suffice.

2. Without prejudice to Paragraph 1 of Article 6, a Member State may decide to prohibit in its territory the marketing of seeds of accepted varieties in the common catalogue of the European Community.

3. Paragraph 2 shall apply in cases provided for in the legal acts referred to in Section 1 of Appendix 1.

4. Any Member State may have recourse to paragraph 2:

- (a) within three years following the entry into force of this Annex, in the case of varieties listed in the common catalogue of the European Community prior to the entry into force of this Annex;
- (b) within three years following the receipt of the information referred to in paragraph 3 of Article 6, in the case of varieties entered in the common catalogue of the European Community after the entry into force of this Annex.

5. Paragraph 4 shall apply by analogy to varieties of the species covered by legal acts added, pursuant to Article 4, to the list in Section 1 of Appendix 1 after the entry into force of this Annex.

6. The Member States may hold technical consultations with a view to assessing the implications for this Annex of derogations referred to in paragraphs 1 to 3.

ARTICLE 8

Third States

1. Without prejudice to Article 10, this Annex shall also apply to seeds marketed in a Member State and originating in a State other than a Member State and recognised by all the Member States.
2. The list of third States referred to in paragraph 1, the species concerned and the scope of such recognition are set out in Appendix 3.

ARTICLE 9

Comparative trials

1. Comparative trials can be held with a view to ex-post checks of samples of seeds taken from batches marketed in the Member States.
2. The Committee shall assess the organisation of comparative trials in the Member States.

ARTICLE 10

Agreements with third States

The Member States agree that agreements on mutual recognition concluded by any Member State with any third State may under no circumstances give rise to any obligation on the other Member States to accept reports, certificates, authorisations or marks issued by the conformity assessment bodies of such third States, except where the Member States have agreed thereto.

APPENDIX 1¹

Legislation

Section 1 (recognition of conformity of legislation)

A. LEGAL ACTS APPLICABLE TO THE EEA EFTA STATES:

National regulations introduced pursuant to the following acts, as incorporated in the EEA Agreement:

1. Basic legislation

Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (OJ L 125, 11.7.1966, p. 2309/66), as last amended by Directive 2009/74/EC (OJ L 166, 27.6.2009, p. 40–70 as corrected by OJ L 154, 19.6.2010, p. 31).

Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species (OJ L 193, 20.7.2002, p. 1–11), as last amended by Decision 2007/329/EC (OJ L 122, 11.5.2007, p. 59).

Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed (OJ L 193, 20.7.2002, p. 12–32), as last amended by Directive 2004/117/EC (OJ L 14, 18.1.2005, p. 18–33).

Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed (OJ L 193, 20.7.2002, p. 33–59), as last amended by Directive 2009/74/EC (OJ L 166, 27.6.2009, p. 40–70 as corrected by OJ L 154, 19.6.2010, p. 31).

Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants (OJ L 193, 20.7.2002, p. 74–97), as amended by Directive 2009/74/EC (OJ L 166, 27.6.2009, p. 40–70 as corrected by OJ L 154, 19.6.2010, p. 31).

Commission Directive 2003/90/EC of 6 October 2003 setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species (OJ L 254, 8.10.2003, p. 7–10) as last amended by Directive 2010/46/EU (OJ L 169, 3.7.2010, p. 7–12).

Commission Directive 2003/91/EC of 6 October 2003 setting out implementing measures for the purposes of Article 7 of Council Directive 2002/55/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of vegetable species (OJ L 254, 8.10.2003, p. 11–13), as last amended by Directive 2010/46/EU (OJ L 169, 3.7.2010, p. 7–12).

¹ Replaced by Council Decision No 3 of 2012 of 2 July 2012 (e.i.f. 2 July 2012)

2. Implementing provisions²

Commission Decision 80/755/EEC of 17 July 1980 authorizing the indelible printing of prescribed information on packages of cereal seed (OJ L 207, 9.8.1980, p. 37), as last amended by Decision 81/109/EEC (OJ L 64, 11.3.1981, p. 13).

Commission Decision 81/675/EEC of 28 July 1981 establishing that particular sealing systems are non-reusable systems within the meaning of Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC (OJ L 246, 29.8.1981, p. 26), as last amended by Decision 86/563/EEC (OJ L 327, 22.11.1986, p. 50).

Commission Directive 89/14/EEC of 15 December 1988 determining the groups of varieties of spinach beet and beetroot referred to crop isolation conditions of Annex I to Council Directive 70/458/EEC on the marketing of vegetable seed (OJ L 8, 11.1.1989, p. 9–10).

Commission Decision 89/374/EEC of 2 June 1989 on the organization of a temporary experiment under Council Directive 66/402/EEC on the marketing of cereal seed, in order to establish the conditions to be satisfied by the crop and the seed of hybrids of rye (OJ L 166, 16.6.1989, p. 66–67), as last amended by Decision 92/520/EEC (OJ L 325, 11.11.1992, p. 25).

Commission Decision 89/540/EEC of 22 September 1989 on the organization of a temporary experiment on the marketing of seeds and propagating material (OJ L 286, 4.10.1989, p. 24–26).

Commission Decision 90/639/EEC of 12 November 1990 determining the names to be borne by the varieties derived from the varieties of vegetable species listed in Decision 89/7/EEC (OJ L 348, 12.12.1990, p. 1–59).

Commission Decision 2000/165/EC of 15 February 2000 setting out the arrangements for Community comparative trials and tests on seeds and propagating material of certain plants under Council Directives 66/401/EEC, 66/402/EEC, 66/403/EEC and 69/208/EEC (OJ L 52, 25.2.2000, p. 41–43).

Commission Decision 2002/98/EC of 28 January 2002 providing for the temporary marketing of seed of a species not satisfying the requirements of Council Directive 69/208/EEC (OJ L 37, 7.2.2002, p. 14–15).

Commission Regulation (EC) No 637/2009 of 22 July 2009 establishing implementing rules as to the suitability of the denominations of varieties of agricultural plant species and vegetable species (OJ L 191, 23.7.2009, p. 10–14).

Commission Decision 2001/897/EC of 12 December 2001 setting out the arrangements for Community comparative trials and tests on seeds and propagating material of certain plants under Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 68/193/EEC, 69/208/EEC, 70/458/EEC and 92/33/EEC (OJ L 331, 15.12.2001, p. 97–100).

² Where applicable, only with regard to cereal seed.

Commission Decision 2002/756/EC of 16 September 2002 setting out the arrangements for Community comparative trials and tests on seeds and propagating material of certain plants under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC (OJ L 252, 20.9.2002, p. 33–36).

Commission Decision 2002/984/EC of 16 December 2002 on the continuation of Community comparative trials and tests on seeds and propagating material of gramineae, *Triticum aestivum*, *Vitis vinifera*, *Brassica napus* and *Allium ascalonicum* under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC (OJ L 341, 17.12.2002, p. 70).

Commission Decision 2003/210/EC of 25 March 2003 providing for the temporary marketing of seed of certain species, not satisfying the requirements of Council Directive 66/401/EEC (OJ L 80, 27.3.2003, p. 25–26).

Commission Decision 2003/244/EC of 4 April 2003 providing for the temporary marketing of certain seed of the species *Triticum aestivum*, not satisfying the requirements of Council Directive 66/402/EEC (OJ L 89, 5.4.2003, p. 39–40).

Commission Decision 2003/307/EC of 2 May 2003 providing for the temporary marketing of certain seed of the species *Lupinus angustifolius* and *Linum usitatissimum* not satisfying the requirements of Council Directives 66/401/EEC and 2002/57/EC respectively (OJ L 113, 7.5.2003, p. 5–7).

Commission Decision 2003/765/EC of 23 October 2003 providing for the temporary marketing of certain seed of the species *Secale cereale* and *Triticum durum*, not satisfying the requirements of Council Directive 66/402/EEC (OJ L 275, 25.10.2003, p. 47–48).

Commission Decision 2003/795/EC of 10 November 2003 providing for the temporary marketing of certain seed of the species *Vicia faba* L., not satisfying the requirements of Council Directive 66/401/EEC (OJ L 296, 14.11.2003, p. 32–33).

Commission Decision 2004/11/EC of 18 December 2003 setting out the arrangements for Community comparative trials and tests on seeds and propagating material of certain plants of agricultural and vegetable species and vine under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC for the years 2004 and 2005 (OJ L 3, 7.1.2004, p. 38–42).

Commission Decision 2004/57/EC of 23 December 2003 on the continuation in the year 2004 of Community comparative trials and tests on seeds and propagating material of gramineae, *Triticum aestivum*, *Brassica napus* and *Allium ascalonicum* under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC started in 2003 (OJ L 12, 17.1.2004, p. 49).

Commission Decision 2004/287/EC of 24 March 2004 providing for the temporary marketing of certain seed of the species *Vicia faba* and *Glycine max* not satisfying the requirements of Council Directives 66/401/EEC or 2002/57/EC respectively (OJ L 91, 30.3.2004, p. 56–57).

Commission Decision 2004/329/EC of 6 April 2004 providing for the temporary marketing of certain seed of the species *Glycine max* not satisfying the requirements of Council Directive 2002/57/EC (OJ L 104, 8.4.2004, p. 133–134).

Commission Decision 2004/130/EC of 30 January 2004 providing for the temporary marketing of certain seed of the species *Vicia faba* L. not satisfying the requirements of Council Directive 66/401/EEC (OJ L 37, 10.2.2004, p. 32–33), as last amended by Decision 2004/164/EC (OJ L 52, 21.2.2004, p. 77).

Commission Decision 2004/297/EC of 29 March 2004 authorising the Czech Republic, Estonia, Lithuania, Hungary, Poland and Slovakia to postpone the application of certain provisions of Council Directives 2002/53/EC and 2002/55/EC with regard to the marketing of seeds of certain varieties (OJ L 97, 1.4.2004, p. 66–67).

Commission Decision 2004/371/EC of 20 April 2004 on conditions for the placing on the market of seed mixtures intended for use as fodder plants (OJ L 116, 22.4.2004, p. 39).

Commission Decision 2004/842/EC of 1 December 2004 concerning implementing rules whereby Member States may authorise the placing on the market of seed belonging to varieties for which an application for entry in the national catalogue of varieties of agricultural plant species or vegetable species has been submitted (OJ L 362, 9.12.2004, p. 21–27).

Commission Decision 2004/893/EC of 20 December 2004 providing for the temporary marketing of certain seed of the species *Secale cereale*, not satisfying the requirements of Council Directive 66/402/EEC (OJ L 375, 23.12.2004, p. 31–32).

Commission Decision 20004/894/EC of 20 December 2004 providing for the temporary marketing of certain seed of the species *Triticum aestivum*, not satisfying the requirements of Council Directive 66/402/EEC (OJ L 375, 23.12.2004, p. 33–34).

Commission Decision 2005/5/EC of 27 December 2004 setting out the arrangements for Community comparative trials and tests on seeds and propagating material of certain plants of agricultural and vegetable species and vine under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC for the years 2005 to 2009 (OJ L 2, 5.1.2005, p. 12–16), as last amended by Decision 2007/852/EC (OJ L 335, 20.12.2007, p.57).

Commission Decision 2005/114/EC of 7 February 2005 on the continuation in the year 2005 of Community comparative trials and tests on seeds and propagating material of Gramineae, *Medicago sativa* L. and Beta, under Council Directives 66/401/EEC and 2002/54/EC started in 2004 (OJ L 36, 9.2.2005, p. 8).

Commission Decision 2005/310/EC of 15 April 2005 providing for the temporary marketing of certain seed of the species *Glycine max* not satisfying the requirements of Council Directive 2002/57/EC (OJ L 99, 19.4.2005, p. 13–14).

Commission Decision 2005/435/EC of 9 June 2005 providing for the temporary marketing of certain seed of the species *Pisum sativum*, *Vicia faba* and *Linum*

usitatissimum not satisfying the requirements of Council Directives 66/401/EEC or 2002/57/EC respectively (OJ L 151, 14.6.2005, p. 23–25).

Commission Decision 2005/841/EC of 28 November 2005 providing for the temporary marketing of certain seed of the species *Triticum durum*, not satisfying the requirements of Council Directive 66/402/EEC (OJ L 312, 29.11.2005, p. 65–66).

Commission Decision 2005/947/EC of 23 December 2005 on the continuation in the year 2006 of Community comparative trials and tests on seeds and propagating material of *Agrostis* spp., *D. glomerata* L., *Festuca* spp., *Lolium* spp., *Phleum* spp., *Poa* spp. including mixtures and *Asparagus officinalis* under Council Directives 66/401/EEC and 2002/55/EC started in 2005 (OJ L 342, 24.12.2005, p. 103).

Commission Directive 2006/47/EC of 23 May 2006 laying down special conditions concerning the presence of *Avena fatua* in cereal seed (OJ L 136, 24.5.2006, p. 18–20).

Commission Decision 2006/335/EC of 8 May 2006 authorising the Republic of Poland to prohibit on its territory the use of 16 genetically modified varieties of maize with the genetic modification MON 810 listed in the Common catalogue of varieties of agricultural plant species, pursuant to Council Directive 2002/53/EC (OJ L 124, 11.5.2006, p. 26–28).

Commission Decision 2006/338/EC of 8 May 2006 authorising the Republic of Poland to prohibit on its territory the use of certain varieties of maize listed in the Common catalogue of varieties of agricultural plant species, pursuant to Council Directive 2002/53/EC (OJ L 125, 12.5.2006, p. 31–37).

Commission Decision 2006/934/EC of 14 December 2006 on the continuation in the year 2007 of Community comparative trials and tests on seeds and propagating material of *Asparagus officinalis* L. under Council Directive 2002/55/EC started in 2005 (OJ L 355, 15.12.2006, p. 104).

Commission Decision 2007/66/EC of 18 December 2006 on a temporary experiment with regard to increasing the maximum weight of a lot of certain fodder plant seeds under Council Directive 66/401/EEC (OJ L 32, 6.2.2007, p. 16), as last amended by Decision 2010/667/EU (OJ L 288, 5.11.2010, p. 23).

Commission Decision 2007/853/EC of 13 December 2007 on the continuation in the year 2008 of Community comparative trials and tests on seeds and propagating material of *Asparagus officinalis* under Council Directive 2002/55/EC started in 2005 (OJ L 335, 20.12.2007, p. 59).

Commission Directive 2008/124/EC of 18 December 2008 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as basic seed or certified seed (OJ L 340, 19.12.2008, p. 73–75).

Commission Decision 2009/109/EC of 9 February 2009 on the organisation of a temporary experiment providing for certain derogations for the marketing of seed mixtures intended for use as fodder plants pursuant to Council Directive 66/401/EEC to determine whether certain species not listed in Council Directives 66/401/EEC,

66/402/EEC, 2002/55/EC or 2002/57/EC fulfil the requirements for being included in Article 2(1)(A) of Directive 66/401/EEC (OJ L 40, 11.2.2009, p. 26–30).

Commission Decision 2010/468/EC of 27 August 2010 providing for the temporary marketing of varieties of *Avena strigosa* Schreb. not included in the common catalogue of varieties of agricultural plant species or in the national catalogues of varieties of the Member States (OJ L 226, 28.8.2010, p. 46–47), as last amended by Decision 2011/43/EU (OJ L 19, 22.1.2011, p. 19).

Commission Decision 2011/180/EU of 23 March 2011 implementing Council Directive 2002/55/EC as regards conditions under which the placing on the market of small packages of mixtures of standard seed of different vegetable varieties belonging to the same species may be authorised (OJ L 78, 24.3.2011, p. 55–56).

B. LEGAL ACTS APPLICABLE TO SWITZERLAND³:

Federal Law of 29 April 1998 on agriculture, as last amended on 9 November 2011 (RO 2011 5227).

Ordinance of 7 December 1998 on the production and entry into free circulation of plant propagating material, as last amended on 25 May 2011 (RO 2011 2399).

Ordinance of the Swiss Federal Department of Economy of 7 December 1998 on seeds and seedlings of species of arable crops and fodder plants as well as vegetable species, as last amended on 7 June 2010 (RO 2010 2763).

Ordinance of the Swiss Federal Office for Agriculture of 7 December 1998 on the catalogue of varieties of cereals, potatoes, fodder plants, oil- and fibre plants and beet, as last amended on 14 May 2012, (RO 2012 2835).³

³ Local varieties authorised for marketing in Switzerland are not covered.

Section 2 (mutual recognition of certificates)

A. LEGAL ACTS APPLICABLE TO THE EEA EFTA STATES:

National regulations introduced pursuant to the following acts, as incorporated in the EEA Agreement:

1. Basic legislation

Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (OJ L 125, 11.7.1966, p. 2298/66), as last amended by Commission Directive 2009/74/EC (OJ L 166, 27.6.2009, p. 40-70 as corrected by OJ L 154, 19.6.2010, p. 31).

2. Implementing provisions⁴

Commission Decision 81/675/EEC of 28 July 1981 establishing that particular sealing systems are .non-reusable systems. within the meaning of Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC (OJ L 246, 29.8.1981, p. 26), as last amended by Decision 86/563/EEC (OJ L 327, 22.11.1986, p. 50).

Commission Directive 86/109/EEC of 27 February 1986 limiting the marketing of seed of certain species of fodder plants and oil and fiber plants to seed which has been officially certified as .basic seed. or .certified seed. (OJ L 93, 8.4.1986, p. 21), as last amended by Directive 91/376/EEC (OJ L 203, 26.7.1991, p. 108).

Commission Decision 87/309/EEC of 2 June 1987 authorising the indelible printing of prescribed information on packages of seed of certain fodder plant species (OJ L 155, 16.6.1987, p. 26), as last amended by Decision 97/125/CE (OJ L 48, 19.2.1997, p. 35).

Commission Decision 92/195/EEC of 17 March 1992 on the organisation of a temporary experiment under Council Directive 66/401/EEC on the marketing of fodder plant seed with regard to increasing the maximum weight of a lot (OJ L 88, 3.4.1992, p. 59), as last amended by Decision 96/203/EC (OJ L 65, 15.3.1996, p. 41).

Commission Decision 93/213/EEC of 18 March 1993 on the organisation of a temporary experiment with regard to the maximum content of inert matter in soya bean seed (OJ L 91, 15.4.1993, p. 27–28).

Commission Decision 94/650/EC of 9 September 1994 on the organisation of a temporary experiment on the marketing of seed in bulk to the final consumer (OJ L 252, 28.9.1994, p. 15–16), as last amended by Decision 98/174/EC (OJ L 63, 4.3.1998, p. 31).

Commission Decision 95/232/EC of 27 June 1995 on the organisation of a temporary experiment under Council Directive 69/208/EEC in order to establish conditions to be satisfied by the seed of hybrids and varietal associations of Swede rape and turnip rape (OJ L 154, 5.7.1995, p. 22–25), as last amended by Decision 2001/18/EC (OJ L 4, 9.1.2001, p. 36).

⁴ Where applicable, excluding cereal seed.

Commission Decision 97/125/EC of 24 January 1997 authorising the indelible printing of prescribed information on packages of seed of oil and fibre plants and amending Decision 87/309/EEC authorising the indelible printing of prescribed information on packages of certain fodder plant species (OJ L 48, 19.2.1997, p. 35–36).

Commission Decision 98/320/EC of 27 April 1998 on the organisation of a temporary experiment on seed sampling and seed testing pursuant to Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC (OJ L 140, 12.5.1998, p. 14-16), as last amended by Decision 2004/626/EC (OJ L 99, 3.4.2004, p. 3).

Commission Decision 2002/454/EC of 12 June 2002 on a temporary experiment with regard to increasing the maximum weight of a lot of certain fodder plant seeds under Council Directive 66/401/EEC (OJ L 155, 14.6.2002, p. 57–58).

Commission Decision 2004/266/EC of 17 March 2004 authorising the indelible printing of prescribed information on packages of seed of fodder plants (OJ L 83, 20.3.2004, p. 23–25).

Commission Regulation (EC) No 217/2006 of 8 February 2006 laying down rules for the application of Council Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC and 2002/57/EC as regards the authorisation of Member States to permit temporarily the marketing of seed not satisfying the requirements in respect of the minimum germination (OJ L 38, 9.2.2006, p. 17–18).

Commission Directive 2008/62/EC of 20 June 2008 providing for certain derogations for acceptance of agricultural landraces and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion and for marketing of seed and seed potatoes of those landraces and varieties (OJ L 162, 21.6.2008, p. 13-19).

Commission Directive 2009/145/EC of 26 November 2009 providing for certain derogations, for acceptance of vegetable landraces and varieties which have been traditionally grown in particular localities and regions and are threatened by genetic erosion and of vegetable varieties with no intrinsic value for commercial crop production but developed for growing under particular conditions and for marketing of seed of those landraces and varieties (OJ L 312, 27.11.2009, p. 44–54).

B. LEGAL ACTS APPLICABLE TO SWITZERLAND:

Federal Law of 29 April 1998 on agriculture, as last amended on 9 November 2011 (RO 2011 5227).

Ordinance of 7 December 1998 on the production and entry into free circulation of plant propagating material, as last amended on 25 May 2011 (RO 2011 2399).

Ordinance of the Swiss Federal Department of Economy of 7 December 1998 on seeds and seedlings of species of arable crops and fodder plants as well as vegetable species, as last amended on 7 June 2010 (RO 2010 2763).

Ordinance of the Swiss Federal Office for Agriculture of 7 December 1998 on the catalogue of varieties of cereals, potatoes, fodder plants, oil- and fibre plants and beet, as last amended on 14 May 2012 (RO 2012 2835).³

C. CERTIFICATES REQUIRED FOR IMPORTS:

Official EU or OECD packaging labels issued by the bodies listed in Appendix 2 to this Annex and orange or green ISTA certificates or similar seed analysis certificates for each batch of seed.

APPENDIX 2⁵

National authorities responsible for the implementation of the legislation

ICELAND
Ministry of Fisheries and Agriculture
Skulagata 4
IS-150 Reykjavík
Telephone : +354 545 8300
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LIECHTENSTEIN
Office Fédéral de l'Agriculture
Service des semences et plants
CH-3003 Berne
Telephone : +41 31 322 25 50
Telefax: +41 31 322 26 34

NORWAY
Norwegian Food Safety Authority
Felles postmottak
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N-2381 Brumunddal
Telephone: +47 23 21 68 00
Telefax: +47 23 21 68 01

SWITZERLAND
Office Fédéral de l'Agriculture
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CH-3003 Berne
Telephone : +41 31 322 25 50
Telefax: +41 31 322 26 34

⁵ Replaced by Council Decision No 3 of 2012 of 2 July 2012 (e.i.f. 2 July 2012)

APPENDIX 3⁶

List of third States

Recognition is based on Council Decision 95/514/EC (OJ L 296, 9.12.1995, p. 34), as last amended by Decision 98/162/EC (OJ L 53, 24.2.1998, p. 21), for field inspections of seed-producing crops and seeds produced, and on Council Decision 97/788/EC (OJ L 322, 25.11.1998, p. 39) for checks on practices for the maintenance of varieties.

ARGENTINA
AUSTRALIA
AUSTRIA
BELGIUM
BULGARIA
CANADA
CHILE
CROATIA
CYPRUS
CZECH REPUBLIC
DENMARK
ESTONIA
FINLAND
FRANCE
GERMANY
GREECE
HUNGARY
IRELAND
ISRAEL
ITALY
LATVIA
LITHUANIA
LUXEMBOURG
MALTA
MOROCCO
NETHERLANDS
NEW ZEALAND
POLAND
PORTUGAL
ROMANIA
SLOVAKIA
SLOVENIA
SOUTH AFRICA
SPAIN
SWEDEN
TURKEY
UNITED KINGDOM
UNITED STATES OF AMERICA
URUGUAY

⁶ Replaced by Council Decision No 3 of 2012 of 2 July 2012 (e.i.f. 2 July 2012)