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FIRST COMMISSION DIRECTIVE

of 18 April 1978

amending the Annexes to Directive 66/401/EEC on the marketing of fodder plant seed

(78/386/EEC)

(OJ L 113, 25.4.1978, p. 1)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Directive of 16 February 1981	L 67	36	12.3.1981
►**M2**	Commission Directive 82/287/EEC of 13 April 1982	L 131	24	13.5.1982

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FIRST COMMISSION DIRECTIVE

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amending the Annexes to Directive 66/401/EEC on the marketing of fodder plant seed

(78/386/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed [1], as last amended by Directive 78/55/EEC [2], and in particular Article 21a thereof,

Whereas, in the light of the development of scientific and technical knowledge, Annexes I, II and III to the Directive should be amended for the set reasons out below;

Whereas, in order to improve the genetic value of seeds, provision should be made for varietal purity standards which the crop must satisfy in the case of certain spiecies;

Whereas in this respect, in the case of self-fertilized species and of apomictic uniclonal varieties of Poa spp., provision should be made for varietal purity standards which the seeds must satisfy;

Whereas provision should be made for conditions to be satisfied by the crop as regards the presence of harmful organisms which reduce the usefulness of the seed;

Whereas special standards should be set in respect of the maximum content of further undesiderable or noxious seeds as Agropyron repens, Avena ludoviciana, Avena sterilis, Melilotus spp., Sinapis arvensis, Raphanus raphanistrum or Rumex species other than Rumex acetosella, Rumex crispus and Rumex obtusifolius;

Whereas standards in respect of minimum germination capacity and of minimum analytical purity should be adapted in the light of the development of the seed quality normally achieved;

Whereas, in order to satisfy the conditions for official examination of seed carried out in accordance with current international methods, it is necessary to revise certain provisions;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 66/401/EEC is hereby amended as follows:

1. Annex I shall read as follows:

'ANNEX I

CONDITIONS TO BE SATISFIED BY THE CROP

1. The previous cropping of the field shall not have been incompatible with the production of seeds of the species and variety of

[1] OJ No 125, 11. 7. 1966, p. 2298/66.
[2] OJ No L 16, 20. 1. 1978, p. 23.

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the crop, and the field shall be sufficiently free from such plants which are volunteers from previous cropping.

2. The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesiderable foreign pollination:

Crop	Minimum distance
1	2
Brassica spp.:	
— for the production of basic seed	400 m
— for the production of certified seed	200 m
Species or varieties other than Brassica spp., Pisum arvense, apomictic uni-clonal varieties of Poa spp.:	
— for the production of seed intended for multiplication, fields up to two hectares	200 m
— for the production of seed intended for multiplication, fields over two hectares	100 m
— for the production of seed intended for the production of fodder plants, fields up to two hectares	100 m
— for the production of seed intended for the production of fodder plants, fields over two hectares	50 m

These distances can be disregarded if there is sufficient protection from any undesiderable foreign pollination.

3. Plants of other species, the seeds of which are difficult to distinguish from the crop seeds in a laboratory test, shall be at a low level.

In particular, crops of lolium species shall conform to the following conditions: the number of plants of a lolium species other than the crop species shall not exceed:

— one per 50 m^2 for the production of basic seed,

— one per 10 m^2 for the production of certified seed.

4. The crop shall have sufficient varietal identity and varietal purity. In particular, crops of the species or varieties other than Pisum arvense or apomictic uni-clonalvarieties of Poa spp. shall conform to the following standards: the number of plants of the crop species which are recognizable as obviously not being true to the variety shall not exceed:

— one per 30 m^2 for the production of basic seed,

— one per 10 m^2 for the production of certified seed.

5. Harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level.

6. The satisfaction of the abovementioned standards or other conditions shall be examined in official field inspections.

These field inspections shall be carried out in accordance with the following conditions:

A. The condition and the stage of development of the crop shall permit an adequate examination.

B. There shall be at least one field inspection.

C. The size, the number and the distribution of the portions of the field to be inspected in order to examine the satisfaction of the provisions of this Annex shall be determined in accordance with appropriate methods.’

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2. Annex II shall read as follows:

'ANNEX II

CONDITIONS TO BE SATISFIED BY THE SEED

I. CERTIFIED SEED

1. The seed shall have sufficient varietal identity and purity. In particular, the seed of Pisum arvense and of apomictic uni-clonal varieties of Poa spp. shall conform to the following standards or other conditions: the minimum varietal purity shall be of 98%.

   The minimum varietal purity shall be examined mainly in field inspections carried out in accordance with the conditions laid down in Annex I.

2. The seed shall conform to the following standards or other conditions as regards germination, analytical purity and content of seeds of other plant species, including Lupin seeds of another colour and of bitter Lupin seeds:

   A. Table:

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Species	Germination		Analytical purity								Maximum content of seeds of other plant species in a sample of the weight specified in column 4 of Annex III (total per column)			Conditions as regards content of Lupin seeds of another colour and of bitter Lupin seeds
	Minimum germination (% of pure seed)	Maximum content of hard seed (% of pure seed)	Minimum analytical purity (% by weight)	Maximum content of seeds of other plant species (% by weight)										
				Total	A single species	Agropyron repens	Alopecurus myosuroides	Melilotus spp.	Raphanus raphanistrum	Sinapis arvensis	Avena fatua, Avena ludoviciana, Avena sterilis	Cuscuta spp.	Rumex spp. other than Rumex acetosella	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
GRAMINEAE														
Agrostis canina ssp. canina	75 (a)		90	2·0	1·0	0·3	0·3				0	0 (j)(k)	2	
Agrostis gigantea	80 (a)		90	2·0	1·0	0·3	0·3				0	0 (j)(k)	2	
Agrostis stolonifera	75 (a)		90	2·0	1·0	0·3	0·3				0	0 (j)(k)	2	
Agrostis tenuis	75 (a)		90	2·0	1·0	0·3	0·3				0	0 (j)(k)	2	
Alopecurus pratensis	70 (a)		75	2·5	1·0	0·3	0·3				0	0 (j)(k)	10	
Arrhenatherum elatius	75 (a)		90	3·0	1·0 (f)	0·5	0·3				0 (g)	0 (j)(k)	20	
Dactylis glomerata	80 (a)		90	1·5	1·0	0·3	0·3				0	0 (j)(k)	10	
Festuca arundinacea	80 (a)		95	1·5	1·0	0·5	0·3				0	0 (j)(k)	20	
Festuca ovina	75 (a)		85	2·0	1·0	0·5	0·3				0	0 (j)(k)	10	
Festuca pratensis	80 (a)		95	1·5	1·0	0·5	0·3				0	0 (j)(k)	20	
Festuca rubra	75 (a)		90	1·5	1·0	0·5	0·3				0	0 (j)(k)	10	
Lolium multiflorum	75 (a)		96	1·5	1·0	0·5	0·3				0	0 (j)(k)	20	
Lolium perenne	80 (a)		96	1·5	1·0	0·5	0·3				0	0 (j)(k)	20	
Lolium X hybridum	75 (a)		96	1·5	1·0	0·5	0·3				0	0 (j)(k)	20	
Phleum bertolonii	80 (a)		96	1·5	1·0	0·3	0·3				0	0 (k)	5	
Phleum pratense	80 (a)		96	1·5	1·0	0·3	0·3				0	0 (k)	5	
Poa annua	75 (a)		85	2·0 (c)	1·0 (c)	0·3	0·3				0	0 (j)(k)	5	
Poa nemoralis	75 (a)		85	2·0 (c)	1·0 (c)	0·3	0·3				0	0 (j)(k)	2	
Poa palustris	75 (a)		85	2·0 (c)	1·0 (c)	0·3	0·3				0	0 (j)(k)	2	
Poa pratensis	75 (a)		85	2·0 (c)	1·0 (c)	0·3	0·3				0	0 (j)(k)	2	
Poa trivialis	75 (a)		85	2·0 (c)	1·0 (c)	0·3	0·3				0	0 (j)(k)	2	
Trisetum flavescens	70 (a)		75	3·0	1·0 (f)	0·3	0·3				0 (h)	0 (j)(k)	2	
LEGUMINOSAE														
Hedysarum coronarium	75 (a) (b)	30	95	2·5	1·0			0·3			0	0 (k)	20	
Lotus corniculatus	75 (a) (b)	40	95	1·8 (d)	1·0 (d)			0·3			0	0 (l) (m)	10	