

Council Decision of 8 November 2005 on the equivalence of checks
on practices for the maintenance of varieties carried out in certain
third countries and amending Decision 2003/17/EC (2005/834/EC)

Article 1

The official checks on practices for the maintenance of varieties carried out in the third countries and by the authorities, listed in the Annex, for the species covered by the Directives referred to for each of those countries shall afford the same guarantees as those carried out by the Member States.

Article 2

Amendments to the Annex, with the exception of those concerning the first column of the table, shall be adopted in accordance with the procedure referred to in Article 3(2).

Article 3

1 The Commission shall be assisted by the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry set up by Article 1 of Decision 66/399/EEC⁽¹⁾, hereinafter referred to as ‘the Committee’.

2 Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3 The Committee shall adopt its Rules of Procedure.

Article 4

In Decision 2003/17/EC Articles 1 and 2 shall be replaced by the following:

Article 1

Field inspections concerning the seed-producing crops of the species specified in Annex I carried out in the third countries listed in that Annex shall be considered equivalent to field inspections carried out in accordance with Directives 66/401/EEC, 66/402/EEC, 2002/54/EC and 2002/57/EC provided that they:

- (a) are carried out officially by the authorities listed in Annex I, or under the official supervision of those authorities;
- (b) satisfy the conditions laid down in point A of Annex II.

Article 2

Seed of the species specified in Annex I, produced in the third countries listed in that Annex and officially certified by the authorities listed in that Annex shall be considered equivalent to seed complying with Directives 66/401/EEC, 66/402/EEC, 2002/54/EC and 2002/57/EC, if it satisfies the conditions laid down in point B of Annex II.

Article 5

This Decision shall apply from 1 July 2005.

However, Article 4 shall apply as from 1 October 2005.

Changes to legislation: There are outstanding changes not yet made to Council Decision of 8 November 2005 on the equivalence of checks on practices for the maintenance of varieties carried out in certain third countries and amending Decision 2003/17/EC (2005/834/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Article 6

This Decision is addressed to the Member States.

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(1) [OJ 125, 11.7.1966, p. 2289/66.](#)

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Changes and effects yet to be applied to :

- Art. 1 word omitted by [S.I. 2019/162 reg. 7\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 7, 8 omitted immediately before IP completion day by virtue of S.I. 2020/1388, regs. 1(2)(a), 30(4)(5))
- Art. 1 word omitted by [S.I. 2020/1388 reg. 3\(2\)\(a\)](#)
- Art. 1 words substituted by [S.I. 2019/162 reg. 7\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 7, 8 omitted immediately before IP completion day by virtue of S.I. 2020/1388, regs. 1(2)(a), 30(4)(5))
- Art. 1 words substituted by [S.I. 2020/1388 reg. 3\(2\)\(b\)](#)
- Art. 1 words substituted by [S.I. 2021/393 reg. 7\(2\)](#)
- Art. 2 omitted by [S.I. 2019/162 reg. 7\(3\)](#) (This amendment not applied to legislation.gov.uk. Regs. 7, 8 omitted immediately before IP completion day by virtue of S.I. 2020/1388, regs. 1(2)(a), 30(4)(5))
- Art. 2 omitted by [S.I. 2020/1388 reg. 3\(3\)](#)
- Art. 3 omitted by [S.I. 2019/162 reg. 7\(3\)](#) (This amendment not applied to legislation.gov.uk. Regs. 7, 8 omitted immediately before IP completion day by virtue of S.I. 2020/1388, regs. 1(2)(a), 30(4)(5))
- Art. 3 omitted by [S.I. 2020/1388 reg. 3\(3\)](#)
- Art. 6 omitted by [S.I. 2019/162 reg. 7\(3\)](#) (This amendment not applied to legislation.gov.uk. Regs. 7, 8 omitted immediately before IP completion day by virtue of S.I. 2020/1388, regs. 1(2)(a), 30(4)(5))
- Art. 6 omitted by [S.I. 2020/1388 reg. 3\(3\)](#)