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COMMISSION DIRECTIVE
of 14 January 1987
amending various Council Directives on the marketing of seeds and propagating materials
(87/120/EEC)
(OJ L 49, 18.2.1987, p. 39)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Council Directive 2002/54/EC of 13 June 2002	L 193	12	20.7.2002
► <u>M2</u> Council Directive 2002/55/EC of 13 June 2002	L 193	33	20.7.2002
► <u>M3</u> Council Directive 2002/57/EC of 13 June 2002	L 193	74	20.7.2002



COMMISSION DIRECTIVE
of 14 January 1987
amending various Council Directives on the marketing of seeds and propagating materials
 (87/120/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/400/EEC of 14 June 1966 on the marketing of beet seed⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 21 a thereof,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽³⁾, as last amended by Directive 86/155/EEC⁽⁴⁾ and in particular Articles 2 (1a) and 21 a thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽⁵⁾, as last amended by Commission Directive 86/320/EEC⁽⁶⁾, and in particular Articles 2 (1a) and 21a thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽⁷⁾, as last amended by Directive 86/155/EEC, and in particular Articles 2 (1a) and 20a thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed⁽⁸⁾, as last amended by Directive 86/155/EEC, and in particular Articles 2 (1a) and 40a thereof,

Whereas, in the light of the development of scientific and technical knowledge, Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC should be amended for the reasons set out hereafter;

Whereas some of the botanical names used in Directives 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC have been shown to be incorrect or of doubtful authenticity;

Whereas those names should be aligned with those normally accepted internationally;

Whereas current international methods allow a tolerance of 5 % on the maximum weight of seed lots;

Whereas it is desirable that a similar tolerance should be applied under the Community Directives;

Whereas the conditions laid down by the Organization for Economic Cooperation and Development for previous cropping and crop isolation for the production of sugar beet seed and fodder beet seed have been shown to be suitable for adoption by the Community;

Whereas it is desirable that the rules for the bitter lupin seed content of sweet lupin seed should be improved in the light of the development of the seed quality normally achieved;

Whereas it is necessary to control the presence of wild plants and the content of red-grain plants in crops for the production of rice seed;

Whereas stricter requirements need to be laid down for the content of red grains in rice seed;

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2290/66.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽⁴⁾ OJ No L 118, 7. 5. 1986, p. 23.

⁽⁵⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽⁶⁾ OJ No L 200, 23. 7. 1986, p. 38.

⁽⁷⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽⁸⁾ OJ No L 225, 12. 10. 1970, p. 7.

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Whereas current international rules have recently been revised in respect of maximum weights for seed lots of certain cereal species; whereas that revision was approved by the Community;

Whereas the maximum weights in the Community rules for seed lots of those species should therefore be revised accordingly;

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:

▼M1**▼B***Article 2*

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

1. In Article 2 (1) (A) the words on the left below are replaced by the corresponding words on the right:

<i>Agrostis tenuis</i> Sibth.	<i>Agrostis capillaris</i> L.
<i>Arrhenatherum elatius</i> (L.) Beauv. ex J. et K. Presl	<i>Arrhenatherum elatius</i> (L.) P. Beauv. ex J. S. et K. B. Presl
<i>Festuca arundinacea</i> Schreb.	<i>Festuca arundinacea</i> Schreber
<i>Festuca pratensis</i> Huds.	<i>Festuca pratensis</i> Hudson
<i>Lolium</i> × <i>hybridum</i> Hausskn.	<i>Lolium</i> × <i>boucheanum</i> Kunth
<i>Trisetum flavescens</i> (L.) Beauv.	<i>Trisetum flavescens</i> (L.) P. Beauv.
<i>Medicago</i> × <i>varia</i> Martyn	<i>Medicago</i> × <i>varia</i> T. Martyn
<i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Peterm.	<i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Rchb.
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC)	<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>medullosa</i> Thell. + var. <i>viridis</i> L.
<i>Raphanus sativus</i> L. ssp. <i>oleifera</i> (DC) Metzg.	<i>Raphanus sativus</i> L. var. <i>oleiformis</i> Pers.

2. In Article 3 (1) the words on the left below are replaced by the corresponding words on the right:

<i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Peterm.	<i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Rchb.
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC)	<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>medullosa</i> Thell. + var. <i>viridis</i> L.
<i>Festuca arundinacea</i> Schreb.	<i>Festuca arundinacea</i> Schreber
<i>Festuca pratensis</i> Huds.	<i>Festuca pratensis</i> Hudson
<i>Lolium</i> × <i>hybridum</i> Hausskn.	<i>Lolium</i> × <i>boucheanum</i> Kunth
<i>Medicago</i> × <i>varia</i> Martyn	<i>Medicago</i> × <i>varia</i> T. Martyn
<i>Raphanus sativus</i> L. ssp. <i>oleifera</i> (DC) Metzg.	<i>Raphanus sativus</i> L. var. <i>oleiformis</i> Pers.

3. In column 1 of the table in Annex II (I) (2) (A):

- ‘*Agrostis tenuis*’ is replaced by ‘*Agrostis capillaris*’,
- ‘*Lolium* × *hybridum*’ is replaced by ‘*Lolium* × *boucheanum*’,
- ‘ssp. *oleifera*’ is replaced by ‘var. *oleiformis*’.

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4. In Annex II (I) (2) (B) (p) '2,5 %' is inserted after the word 'exceed' and the rest of the item is deleted.
5. In column 1 of the table in Annex II (II) (2) (A):
 - '*Agrostis tenuis*' is replaced by '*Agrostis capillaris*',
 - '*Lolium* × hybridum' is replaced by '*Lolium* × *boucheanum*',
 - '*ssp. oleifera*' is replaced by 'var. *oleiformis*'.
6. Annex II (III) (6) (c) is deleted.
7. In column 1 of the table in Annex III:
 - '*Agrostis tenuis*' is replaced by '*Agrostis capillaris*',
 - '*Lolium* × hybridum' is replaced by '*Lolium* × *boucheanum*',
 - '*ssp. oleifera*' is replaced by 'var. *oleiformis*'.
8. In Annex III the following is added after the table: 'The maximum lot weight shall not be exceeded by more than 5 %'.

Article 3

Directive 66/402/EEC is hereby amended as follows:

1. In Article 2 (1) (A), 'except *Zea mays* convar. *microsperma* (Koern) and *Zea mays* convar. *saccharata* (Koern)' is replaced by '(partim)'.
2. In the introductory wording of the third paragraph of Annex I (3), '*Oryza sativa*,' is inserted after 'crops of'.
3. In the third paragraph of Annex I (3) the following is added:

'D. *Oryza sativa*:

the number of plants which are recognizable as obviously being wild plants or red-grain plants shall not exceed:

- 0 for the production of basic seed,
- 1 per 50 m² for the production of certified seed.'

4. In column 5 of the table in Annex II (2) (A) '2', '5' and '10' are replaced by '1', '3' and '5' respectively.
5. In column 2 of the table in Annex III '20' is replaced by '25' in both cases where it appears.
6. The following sentence is added to Annex III: 'The maximum lot weight shall not be exceeded by more than 5 %'.

▼M3**▼M2****▼B***Article 6*

Member States shall take the necessary measures to comply with this Directive not later than 1 July 1988. They shall forthwith inform the Commission thereof.

Article 7

This Directive is addressed to the Member States.