

Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed

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of 13 June 2002

on the marketing of beet seed

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament⁽¹⁾,

Having consulted the Economic and Social Committee,

Whereas:

- (1) Council Directive 66/400/EEC of 14 June 1966 on the marketing of beet seed⁽²⁾ has been frequently and substantially amended⁽³⁾. For reasons of clarity and rationality the said Directive should be codified.
- (2) The production of sugar beet and fodder beet (hereinafter called 'beet') occupies an important place in the agriculture of the Community.
- (3) Satisfactory results in beet cultivation depend to a large extent on the use of appropriate seed.
- (4) Greater productivity will be achieved in Community beet cultivation if for the choice of varieties permitted to be marketed the Member States apply uniform rules which are as strict as possible. A common catalogue of varieties of agricultural plant species is therefore provided for in Council Directive 2002/53/EC⁽⁴⁾.
- (5) It is desirable to establish a uniform certification scheme for the Community based on the experience gained in the application of schemes in the Member States and those of the Organisation for Economic Cooperation and Development. In the context of the consolidation of the internal market, the Community scheme should offer no possibilities for Member States to derogate unilaterally from the scheme in a way that would hinder the free movement of seeds within the Community.
- (6) As a general rule, beet seed should be allowed to be marketed only if it has been officially examined and certified, in accordance with the rules for certification, as basic seed or certified seed. The choice of the technical terms 'basic seed' and 'certified seed' is based on already existing international terminology. It should be possible under specified conditions to place on the market bred seed of generations prior to basic seed and seed as grown.

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- (7) Community rules should not apply to seed shown to be intended for export to third countries.
- (8) In order to improve the quality of Community beet seed, certain requirements must be laid down as to, amongst others, polyploidy, monogermity, segmentation, analytical purity, germination and moisture content.
- (9) In order to ensure identity of the seed, Community rules on packaging, sampling, sealing and marking must be established. To this end the labels should give the particulars needed both for official verification and for the information of the farmer and should clearly show the Community nature of the certification.
- (10) Rules for the marketing of chemically treated seed, seeds suitable for organic growing as well as the conservation by use, *in situ*, of varieties threatened with genetic erosion should be introduced.
- (11) Derogations should be permitted under certain conditions, without prejudice to the provisions of Article 14 of the Treaty. Member States making use of derogations should assist each other administratively as regards inspection.
- (12) In order to ensure that both the requirements as to the quality of seed and the provisions for ensuring its identity are complied with during marketing, Member States should make provision for appropriate control arrangements.
- (13) Seed satisfying these requirements should, without prejudice to Article 30 of the Treaty, be subject to no marketing restrictions other than those provided for in Community rules.
- (14) Subject to certain conditions, seed multiplied in another country from basic seed certified in a Member State should be certified as seed multiplied in that Member State.
- (15) Provision should be made for authorising the marketing within the Community of beet seed harvested in third countries only if such seed affords the same assurances as seed officially certified within the Community and complying with Community rules.
- (16) During periods in which there are difficulties in obtaining supplies of certified seed of the various categories, seeds of a category subject to less stringent requirements, as well as seeds of varieties not included in the Common Catalogue of Varieties or in the national Catalogue of Varieties, should temporarily be permitted to be marketed.
- (17) In order to harmonise the technical methods of certification used in the Member States and to enable comparisons to be made between seed certified within the Community and that coming from third countries, Community comparative tests should be established in Member States to permit annual post-control of seed of the category 'certified seed'.
- (18) It is desirable to organise temporary experiments for the purpose of seeking improved alternatives to certain elements of the certification schemes adopted under this Directive.
- (19) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽⁵⁾.

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- (20) This Directive should not affect the obligations of the Member States concerning the deadlines for transposition of the Directives set out in Annex V, part B,

HAS ADOPTED THIS DIRECTIVE:

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- (1) Opinion delivered on 9 April 2002 (not yet published in the Official Journal).
- (2) [OJ 125, 11.7.1966, p. 2290/66](#). Directive as last amended by Directive 98/96/EC ([OJ L 25, 1.2.1999, p. 27](#)).
- (3) See Annex V, part A.
- (4) See page 1 of this Official Journal.
- (5) [OJ L 184, 17.7.1999, p. 23](#).