

Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed

*Article 12*

1 Acceptance shall be valid until the end of the tenth calendar year following acceptance.

Acceptance of the varieties by the authorities of the former German Democratic Republic prior to German unification shall be valid until the end of the tenth calendar year at the latest following their entry in the catalogue of varieties drawn up by the Federal Republic of Germany in accordance with Article 3(1).

2 Acceptance of a variety may be renewed at given intervals if it is still cultivated on such a scale as to justify this, or should be retained in the interest of conserving plant genetic resources, and providing that the requirements as to distinctness, uniformity and stability, or the criteria determined under Article 44(2) and (3), are still satisfied. Except in the case of plant genetic resources within the meaning of Article 44, applications for renewal shall be submitted not later than two years before expiry of acceptance.

3 The period of validity of acceptance shall be extended provisionally until a decision is taken on the application for renewal.

In the case of varieties for which acceptance has been granted before 1 July 1972 or, with regard to Denmark, Ireland and the United Kingdom, before 1 January 1973, the period mentioned in the first subparagraph of paragraph 1 may be extended, in accordance with the procedure referred to in Article 46(2), until 30 June 1990 at the latest for individual varieties, where official measures organised on a Community basis have been taken before 1 July 1982 in order to ensure that the conditions for the renewal of their acceptance or for the acceptance of varieties derived from them are met.

With regard to Greece, Spain and Portugal, the expiry of the acceptance period for certain varieties for which acceptance has been granted in those Member States before 1 January 1986 may, at the request of those Member States, also be fixed for 30 June 1990, in accordance with the procedure referred to in Article 46(2), and the varieties concerned may be included in the official measures referred to in the second subparagraph.