

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

Article 36

- 1 Member States shall provide that vegetable seed:
- which has been produced directly from basic seed or certified seed officially certified either in one or more Member States or in a third country which has been granted equivalence under Article 37(1)(d), or which has been produced directly from the crossing of basic seed officially certified in a Member State with basic seed officially certified in such a third country, and
 - which has been harvested in another Member State,

shall, on request and without prejudice to other provisions of this Directive, be officially certified seed in any Member State if that seed has undergone field inspection satisfying the conditions laid down in Annex I for the relevant category and if official examination has shown that the conditions laid down in Annex II for the same category are satisfied.

Where in such cases the seed has been produced directly from officially certified seed of generations prior to basic seed, Member States may also authorise official certification as basic seed, if the conditions laid down for that category are satisfied.

- 2 Vegetable seed which has been harvested in the Community and which is intended for certification in accordance with paragraph 1 shall:
- be packed and labelled with an official label satisfying the conditions laid down in Annex V(A) and (B), in accordance with Article 27(1), and
 - be accompanied by an official document satisfying the conditions laid down in Annex V(C).

The provisions in the first indent on packaging and labelling may be waived if the authorities responsible for field inspections, those drawing up the documents for the certification of seeds which have not been definitively certified and those responsible for certification are the same, or if they agree on exemption.

- 3 Member States shall also provide that vegetable seed
- which has been produced directly from basic seed or certified seed officially certified either in one or more Member States or in a third country which has been granted equivalence under Article 37(1)(d) or which has been produced directly from the crossing of basic seed officially certified in a Member State with basic seed officially certified in such a third country, and
 - which has been harvested in a third country,

shall, on request, be officially certified as certified seed in any of those Member States where the basic seed was either produced or officially certified, if the seed has undergone field inspection satisfying the conditions laid down in an equivalence decision made under Article 37(1)(a) for the relevant category, and if official examination has shown that the conditions laid down in Annex II for the same category are satisfied. Other Member States may also authorise official certification of such seed.