

Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes

[^{F1}Article 20

1 Community comparative tests and trials shall be carried out within the Community for the post-control of samples of seed potatoes placed on the market under the provisions of this Directive, whether mandatory or discretionary, including those relating to plant health and taken during sampling. The comparative tests and trials may include the following:

- seed potatoes harvested in third countries,
- seed potatoes suitable for organic farming,
- seed potatoes marketed in relation to the conservation *in situ* and the sustainable use of plant genetic resources.

2 These comparative tests and trials shall be used to harmonise the technical methods of certification and to check satisfaction of the conditions with which the seed must comply.

3 The Commission, acting in accordance with the procedure referred to in Article 25(2), shall make the necessary arrangements for the comparative tests and trials to be carried out. The Commission shall inform the Committee referred to in Article 25(1) about the technical arrangements for holding the tests and trials and the results thereof. When plant health problems occur, the Commission shall notify the Standing Committee on Plant Health.

4 The Community may make a financial contribution to the performance of the tests and trials foreseen in paragraphs 1 and 2.

The financial contribution shall not exceed the annual appropriations decided by the budgetary authority.

5 The tests and trials which may benefit from a Community financial contribution, and detailed rules for the provision of the financial contribution, shall be established in accordance with the procedure laid down in Article 25(2).

6 The tests and trials foreseen in paragraphs 1 and 2 may be performed only by State authorities or legal persons acting under the responsibility of the State.

7 In accordance with the procedure referred to in Article 25(2), the Commission may prohibit, in whole or in part, the marketing of seed potatoes harvested in a particular area of the Community if the progeny of officially drawn samples of basic seed potatoes or certified seed potatoes harvested in that particular area and grown in one or more Community tests and trials has for three successive years fallen appreciably below the minimum conditions laid down in Annex I(1)(c), (2)(c), (3) and (4).

8 Any measures taken under paragraph 7 shall be withdrawn by the Commission as soon as it has been established with adequate certainty that the basic seed potatoes and certified seed potatoes harvested in the particular area of the Community concerned will in future satisfy the minimum conditions referred to in paragraph 7.]

Textual Amendments

- F1** Substituted by Council Directive 2003/61/EC of 18 June 2003 amending Directives 66/401/EEC on the marketing of fodder plant seed, 66/402/EEC on the marketing of cereal seed, 68/193/EEC on the marketing of material for the vegetative propagation of the vine, 92/33/EEC on the marketing of vegetable propagating and planting material, other than seed, 92/34/EEC on the marketing of propagating and planting material of fruit plants, 98/56/EC on the marketing of propagating material

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of ornamental plants, 2002/54/EC on the marketing of beet seed, 2002/55/EC on the marketing of vegetable seed, 2002/56/EC on the marketing of seed potatoes and 2002/57/EC on the marketing of seed of oil and fibre plants as regards Community comparative tests and trials.