

[^{F1}ANNEX I**CONDITIONS TO BE SATISFIED BY THE CROP****Textual Amendments**

- F1** Substituted by Commission Directive 2009/74/EC of 26 June 2009 amending Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC and 2002/57/EC as regards the botanical names of plants, the scientific names of other organisms and certain Annexes to Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in the light of developments of scientific and technical knowledge (Text with EEA relevance).

1. The previous cropping of the field shall not have been incompatible with the production of seed of the species and variety of the crop, and the field shall be sufficiently free from such plants which are volunteers from previous cropping.

In the case of hybrids of *Brassica napus*, the crop shall be raised in a production ground where five years have elapsed since plants of *Brassicaceae* (*Cruciferae*) were last grown.

2. The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination:

Crop	Minimum distance
^{F1} <i>Brassica</i> spp. other than <i>Brassica napus</i> , <i>Cannabis sativa</i> other than monoecious <i>Cannabis sativa</i> , <i>Carthamus tinctorius</i> , <i>Carum carvi</i> , <i>Sinapis alba</i> :]	
— for the production of basic seed,	400 m
— for the production of certified seed,	200 m
<i>Brassica napus</i> :	
— for the production of basic seed of varieties other than hybrids,	200 m
— for the production of basic seed of hybrids,	500 m
— for the production of certified seed of varieties other than hybrids,	100 m
— for the production of certified seed of hybrids,	300 m
<i>Cannabis sativa</i> , monoecious <i>Cannabis sativa</i> :	
— for the production of basic seed,	5 000 m
— for the production of certified seed,	1 000 m

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<i>Helianthus annuus</i> :	
— for the production of basic seed of hybrids,	1 500 m
— for the production of basic seed of varieties other than hybrids,	750 m
— for the production of certified seed,	500 m
<i>Gossypium hirsutum</i> and/or <i>Gossypium barbadense</i> :	
[^{XI} — for the production of basic seed of <i>Gossypium hirsutum</i> ,]	100 m
[^{XI} — for the production of basic seed of <i>Gossypium barbadense</i> ,]	200 m
— for the production of certified seed of non-hybrid varieties and intraspecific hybrids of <i>Gossypium hirsutum</i> produced without Cytoplasmic Male Sterility (CMS),	30 m
— for the production of certified seed of intraspecific hybrids of <i>Gossypium hirsutum</i> produced with CMS,	800 m
— for the production of certified seed of non-hybrid varieties and intraspecific hybrids of <i>Gossypium barbadense</i> produced without CMS,	150 m
— for the production of certified seed of intraspecific hybrids of <i>Gossypium barbadense</i> produced with CMS,	800 m
— for the production of basic seed of fixed interspecific hybrids of <i>Gossypium hirsutum</i> and <i>Gossypium barbadense</i> ,	200 m
— for the production of certified seed of fixed interspecific hybrids of <i>Gossypium hirsutum</i> and	150 m

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—	<i>Gossypium barbadense</i> and hybrids produced without CMS,	
	for the production of certified seed of hybrids of <i>Gossypium hirsutum</i> and <i>Gossypium barbadense</i> produced with CMS,	800 m

Editorial Information

- X1** Substituted by [Corrigendum to Commission Directive 2009/74/EC of 26 June 2009 amending Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC and 2002/57/EC as regards the botanical names of plants, the scientific names of other organisms and certain Annexes to Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in the light of developments of scientific and technical knowledge \(Official Journal of the European Union L 166 of 27 June 2009\)](#).

These distances can be disregarded if there is sufficient protection from any undesirable foreign pollination.

3. The crop shall have sufficient varietal identity and varietal purity or, in the case of a crop of an inbred line, sufficient identity and purity as regards its characteristics.

For the production of seed of hybrid varieties, the abovementioned provisions shall also apply to the characteristics of the components, including male sterility or restoration of fertility.

In particular, crops of *Brassica juncea*, *Brassica nigra*, *Cannabis sativa*, *Carthamus tinctorius*, *Carum carvi*, *Gossypium* spp. and hybrids of *Helianthus annuus* and *Brassica napus* shall conform to the following other standards or conditions:

- A. *Brassica juncea*, *Brassica nigra*, *Cannabis sativa*, *Carthamus tinctorius*, *Carum carvi* and *Gossypium* spp. other than hybrids:

the number of plants of the crop species which are recognisable as obviously not being true to the variety shall not exceed:

- one per 30 m² for the production of basic seed,
- one per 10 m² for the production of certified seed,

- B. Hybrids of *Helianthus annuus*:

- (a) the percentage by number of plants which are recognisable as obviously not being true to the inbred line or to the component shall not exceed:

(aa)	for the production of basic seed:	
i)	inbred lines	0,2 %
(ii)	simple hybrids:	
—	male parent, plants which have shed pollen while 2	0,2 %

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	% or more of the female plants have receptive flowers,	
—	female parent,	0,5 %
(bb)	for the production of certified seed:	
—	male component, plants which have shed pollen while 5 % or more of the female plants have receptive flowers,	0,5 %
—	female component,	1,0 %

(b) The following other standards or conditions shall be satisfied for the production of seed of hybrid varieties:

- (aa) sufficient pollen shall be shed by the plants of the male component while the plants of the female component are in flower;
- (bb) where the female component plants have receptive stigmas, the percentage by number of female component plants which have shed pollen or are shedding pollen shall not exceed 0,5 %;
- (cc) for the production of basic seed the total percentage by number of plants of the female component which are recognisable as obviously not being true to the component and which have shed pollen or are shedding pollen shall not exceed 0,5 %;
- (dd) where the condition laid down in Annex II(I)(2) cannot be satisfied, the following conditions shall be satisfied: a male-sterile component shall be used to produce certified seed by using a male component which contains a specific restorer line or lines so that at least one third of the plants grown from the resulting hybrid will produce pollen which appears normal in all respects;

C. Hybrids of *Brassica napus*, produced using the male sterility:

- (a) the percentage by number of plants which are recognisable as obviously not being true to the inbred line or to the component shall not exceed:

(aa) for the production of basic seed		
(i)	inbred lines	0,1 %
(ii) simple hybrids		
—	male component,	0,1 %
—	female component,	0,2 %

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(bb)for the production of certified seed	
— male component,	0,3 %
— female component,	1,0 %

— male component,	0,3 %
— female component,	1,0 %

- (b) Male sterility shall be at least 99 % for the production of basic seed and 98 % for the production of certified seed. The level of male sterility shall be assessed by examining flowers for the absence of fertile anthers;

D. Hybrids of *Gossypium hirsutum* and *Gossypium barbadense*:

- (a) in crops to produce basic seed of parental lines of *Gossypium hirsutum* and *Gossypium barbadense*, the minimum varietal purity of both the female and male parental lines shall be 99,8 % when 5 % or more of seed-bearing plants have pollen receptive flowers. The level of male sterility of the seed-bearing parent line shall be assessed by examining the flowers for the presence of sterile anthers and shall not be less than 99,9 %
- (b) in crops to produce certified seed of hybrid varieties of *Gossypium hirsutum* and/or *Gossypium barbadense*, the minimum varietal purity of both the seed-bearing parent and the pollen parent line shall be 99,5 % when 5 % or more of seed-bearing plants have pollen receptive flowers. The level of male sterility of the seed-bearing parent line shall be assessed by examining the flowers for the presence of sterile anthers and shall not be less than 99,7 %.

[^{F24}. The crop shall be practically free from any pests which reduce the usefulness and quality of the propagating material. The crop shall also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and regulated non-quarantine pests ('RNQPs') provided for in implementing acts adopted pursuant to Regulation (EU) 2016/2031⁽¹⁾, as well as with the measures adopted pursuant to Article 30(1) of that Regulation.

The presence of RNQPs on the crops shall comply with the following requirements as set out in the table:

Fungi and oomycetes				
RNQPs or symptoms caused by RNQPs	Plants for planting (genus or species)	Thresholds for the production of pre-basic seed	Thresholds for the production of basic seed	Thresholds for the production of certified seed
<i>Plasmopara halstedii</i> (Farlow) Berlese & de Toni [PLASHA]	<i>Helianthus annuus</i> L.	0 %	0 %	0 %]

Textual Amendments

- F2** Substituted by [Commission Implementing Directive \(EU\) 2020/177 of 11 February 2020 amending Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/55/EC, 2002/56/EC and 2002/57/EC, Commission Directives 93/49/EEC and 93/61/EEC and Implementing Directives 2014/21/EU and](#)

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2014/98/EU as regards pests of plants on seeds and other plant reproductive material (Text with EEA relevance).

5. The satisfaction of the abovementioned other standards or conditions shall, in the case of basic seed, be examined in official field inspections and, in the case of certified seed, be examined either in official field inspections or in inspections carried out under official supervision. These field inspections shall be carried out in accordance with the following conditions:
- A. The condition and the stage of development of the crop shall permit an adequate examination.
- B. In cases other than crops of hybrids of *Helianthus annuus*, *Brassica napus*, *Gossypium hirsutum* and *Gossypium barbadense*, there shall be at least one inspection.
- In the case of hybrids of *Helianthus annuus* there shall be at least two inspections.
- In the case of hybrids of *Brassica napus* there shall be at least three inspections: the first shall be made before the flowering stage, the second at the early flowering stage and the third at the end of the flowering stage.
- In the case of hybrids of *Gossypium hirsutum* and/or *Gossypium barbadense* there shall be at least three inspections: the first shall be made at the early flowering stage, the second before the end of the flowering stage and the third at the end of the flowering stage after removal, where appropriate, of the pollen parent plants.
- C. The size, the number and the distribution of the portions of the field to be inspected in order to examine the satisfaction of the provisions of this Annex shall be determined in accordance with appropriate methods.]

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- (1) [^{F1}]^{F2}Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4).]]

Textual Amendments

- F1** Substituted by Commission Directive 2009/74/EC of 26 June 2009 amending Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC and 2002/57/EC as regards the botanical names of plants, the scientific names of other organisms and certain Annexes to Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in the light of developments of scientific and technical knowledge (Text with EEA relevance).
- F2** Substituted by Commission Implementing Directive (EU) 2020/177 of 11 February 2020 amending Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/55/EC, 2002/56/EC and 2002/57/EC, Commission Directives 93/49/EEC and 93/61/EEC and Implementing Directives 2014/21/EU and 2014/98/EU as regards pests of plants on seeds and other plant reproductive material (Text with EEA relevance).