

Commission Directive 2008/62/EC of 20 June 2008 providing for certain derogations for acceptance of agricultural landraces and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion and for marketing of seed and seed potatoes of those landraces and varieties (Text with EEA relevance)

CHAPTER III

SEED PRODUCTION AND MARKETING

Article 10

Certification

1 By way of derogation from the certification requirements provided for in Article 3(1) of Directive 66/401/EEC, Article 3(1) of Directive 66/402/EEC, Article 3(1) of Directive 2002/54/EC, Article 3(1) of Directive 2002/56/EC and Article 3(1) of Directive 2002/57/EC, Member States may provide that seed of a conservation variety may be placed on the market if it complies with paragraphs 2, 3 and 4 of this Article.

2 The seed shall descend from seed produced according to well defined practices for maintenance of the variety.

3 The seed, except seed of *Oryza sativa*, shall comply with the requirements for certification of certified seed provided for in Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/56/EC and 2002/57/EC, with the exception of the requirements in respect of minimum varietal purity and the requirements concerning official examination or examination under official supervision.

Seed of *Oryza sativa* shall comply with the requirements for certification of 'certified seed, second generation' provided for in Directive 66/402/EEC, with the exception of the requirements in respect of minimum varietal purity and the requirements concerning official examination or examination under official supervision.

The seed shall have sufficient varietal purity.

4 As regards seed potatoes, Member States may provide that Article 10 of Directive 2002/56/EC concerning the size shall not apply.