

Commission Implementing Directive 2014/97/EU of 15 October
2014 implementing Council Directive 2008/90/EC as regards the
registration of suppliers and of varieties and the common list of varieties

Article 5

Application for registration of a variety

- 1 For registration of a variety as a variety with an official description, Member States shall require that a written application be submitted to the responsible official body of the Member State concerned.
- 2 The application shall be accompanied by the following:
 - a the information required by the technical questionnaires set out at the time of application:
 - (i) in Annex II to the ‘Protocols for distinctness, uniformity and stability tests’ of the Administrative Council of the Community Plant Variety Office (CPVO) for the relevant species for which such a protocol has been published; or, where no such protocols have been published;
 - (ii) in Section X of the ‘Test guidelines for the conduct of tests for distinctness, uniformity and stability’ of the International Union for the Protection of new Varieties of Plants (UPOV) and the Annex to the Test guideline concerned for the relevant species for which such guidelines have been published; or where no such guidelines have been published;
 - (iii) in national provisions;
 - b information on whether the variety is officially registered in another Member State, or is the subject of an application for such a registration in another Member State;
 - c a proposed denomination;
 - d in the case of a genetically modified variety, evidence that the genetically modified organism of which the variety consists is authorised for cultivation pursuant to Directive 2001/18/EC or Regulation (EC) No 1829/2003.
- 3 The applicant may submit any of the following with its application:
 - a an official description established, in accordance with Article 6(5), by a responsible official body of another Member State;
 - b any other relevant information.