

OECD SEED SCHEMES 2017

OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade



This document updates the OECD Seed Schemes. It replaces the 2016 edition of the OECD Seed Schemes Rules and Regulations (January 2016) and incorporates the amendments agreed by the 2016 Annual Meeting.

The 2017 edition reflects the following amendments to the Rules:

- amendment of Annex XI of the Decision to separate the Maize and Sorghum Seed Scheme into Maize Seed Scheme as new Annex XI and Sorghum Seed Scheme as new Annex XII. The current Annex XII of the Decision (Vegetable Seed Scheme) is renumbered as Annex XIII respectively. Both new schemes would include in their respective Appendix 3 (Countries Eligible for Certification) the countries listed in Appendix 3 of the current OECD Maize and Sorghum Seed Scheme, with the exception of Poland and Estonia who have conveyed their request not to be included in the new OECD Sorghum Seed Scheme;
- amendment to paragraph 1 of the Decision and paragraph 2 of Annex I to the Decision on the separation of the Maize and Sorghum Seed Scheme to reflect the abovementioned changes in the names and numbering of Annexes of the Decision.
- amendment of paragraph 6.1 of Annex I to the Decision to reintroduce the sum of basic fee of the annual contribution;
- amendment to Annex IV to the Decision , i.e. the List of Participants in One or Several OECD Seed Schemes, to update the list of participating countries to reflect the admission of Tanzania.
- amendment to Appendix 3 of Annex VIII to the Decision i.e. the list of Countries Eligible for Certification of Cereal Seed, to update the list of participating countries to reflect the admission of Tanzania to this Scheme;
- amendment to Appendix 3 of (the new) Annex XI to the Decision, i.e. the list of Countries Eligible for Certification of Maize Seed, to update the list of participating countries to reflect the admission of Tanzania to this Scheme
- amendment to Appendix 3 of (the new) Annex XII to the Decision, i.e. the list of Countries Eligible for Certification of Sorghum Seed, to update the list of participating countries to reflect the admission of Tanzania to this Scheme
- amendment of Rule 2 of Common Rules and Regulations of the OECD Seed Schemes clarifying the rules of acceptance of a variety into the OECD Seed Schemes
- amendment to Appendix 1 of Annex VIII to the Decision on Varietal Certification of Cereal Seed to introduce new certification standards for Finger Millet;

On 29 November 2016 the Committee for Agriculture approved the technical amendments to the OECD Seed Schemes by the written procedure [TAD/CA(2016)27].

On 23 December 2016 the Council adopted the non-technical amendments to the OECD Seed Schemes by the written procedure [C(2016)177].

OECD Seed Schemes revised by the OECD Council on 28 September 2000 [C(2000)146/FINAL] and subsequently amended [C(2001)100, C(2001)101, C(2001)265, C(2001)264, C(2001)266, C(2001)288, C(2003)18, C(2003)23, C(2004)97, C(2004)210, C(2005)38, C(2005)171, C(2005)170, C(2005)169, C(2006)53, C(2006)71, C(2006)75, C(2007)12, C(2007)122, C(2007)123, C(2007)128, TAD/CA(2008)17, TAD/CA(2008)28, TAD/CA(2008)29, TAD/CA(2008)30, C(2008)120, C(2008)151, C(2008)152, C(2008)153,

TAD/CA(2009)5, TAD/CA(2009)6, TAD/CA(2009)7, C(2009)155, TAD/CA(2010)9, TAD/CA(2010)10, TAD/CA(2010)19, C(2010)133, TAD/CA(2012)2, TAD/CA(2012)13, TAD/CA(2013)11, C(2014)154, TAD/CA(2015)15, C(2015)171, TAD/CA(2016)27 and C(2016)177].

The 2017 edition of the OECD SEED SCHEMES is available on line:
www.oecd.org/tad/seed

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Part I.

**LEGAL AND GENERAL TEXTS
COMMON TO ALL SEED SCHEMES**

DECISION OF THE COUNCIL

Revising the OECD Schemes
for the Varietal Certification or the Control of Seed
Moving in International Trade

*[C(2000)146/FINAL of 28 September 2000,
with amendments [C(2001)100, C(2001)101, C(2001)265, C(2001)264, C(2001)266,
C(2001)288, C(2003)18, C(2003)23, C(2004)97, C(2004)210, C(2005)38, C(2005)171,
C(2005)170, C(2005)169, C(2006)53, C(2006)71, C(2006)75, C(2007)12, C(2007)122,
C(2007)123, C(2007)128, TAD/CA(2008)17, TAD/CA(2008)28, TAD/CA(2008)29,
TAD/CA(2008)30, C(2008)120, C(2008)151, C(2008)152, C(2008)153, TAD/CA(2009)5,
TAD/CA(2009)6, TAD/CA(2009)7, C(2009)155, TAD/CA(2010)9, TAD/CA(2010)10,
TAD/CA(2010)19, C(2010)133, TAD/CA(2012)2, TAD/CA(2012)13, TAD/CA(2013)11,
C(2014)154, TAD/CA(2015)15, C(2015)171, TAD/CA(2016)27 and C(2016)177]*

THE COUNCIL,

Having regard to Article 5 a) and c) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

Having regard to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Herbage and Oil Seed Moving in International Trade [C(88)68(Final)], amended on 19 March 1991 [C(91)19/FINAL], 19 May 1992 [C(92)53/FINAL], 2 December 1993 [C(93)119/FINAL], 27 December 1993 [C(93)120/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL], 16 December 1996 [C(96)173/FINAL] and 13 July 1999 [C(99)70/FINAL];

Having regard to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Cereal Seed Moving in International Trade [C(88)69(Final)], amended on 24 September 1990 [C(90)80/FINAL], 19 March 1991 [C(91)19/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL] and 13 July 1999 [C(99)70/FINAL];

Having regard to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Sugar Beet and Fodder Beet Seed Moving in International Trade [C(88)66(Final)], amended on 19 March 1991 [C(91)19/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL] and 13 July 1999 [C(99)70/FINAL];

Having regard to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Seed of Subterranean Clover and Similar Species Moving in International Trade [C(88)70(Final)], amended on 19 March 1991 [C(91)19/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL] and 13 July 1999 [C(99)70/FINAL];

Having regard to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Maize and Sorghum Seed Moving in International Trade [C(88)67(Final)], amended on 19 March 1991 [C(91)19/FINAL], 3 June 1993 [C(93)51/FINAL], 2 December 1993 [C(93)121/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL] and 13 July 1999 [C(99)70/FINAL];

Having regard to the Decision of the Council of 16 March 1971 Establishing the OECD Scheme for the Control of Vegetable Seed Moving in International Trade [C(71)31(Final)], amended on 24 October 1974 [C(74)197], 24 June 1976 [C(76)133], 14 June 1977 [C(77)121], 19 March 1991 [C(91)19/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL] and 13 July 1999 [C(99)70/FINAL];

On the proposal of the Committee for Agriculture;

I DECIDES:

1. The OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade (hereafter called the “OECD Seed Schemes”) include Rules and Regulations applicable to eight groups of species constituting the following Schemes:

Grass and Legume Seed Scheme	(Annex VI to this decision)
Seed Scheme for Crucifers and other Oil and Fibre Species	(Annex VII to this decision)
Cereal Seed Scheme	(Annex VIII to this decision)
Beet Seed Scheme	(Annex IX to this decision)
Seed Scheme for Subterranean Clover and Similar Species	(Annex X to this decision)
Maize Seed Scheme	(Annex XI to this decision)
Sorghum Seed Scheme	(Annex XII to this decision)
Vegetable Seed Scheme	(Annex XIII to this decision)

The OECD Seed Schemes shall be operated in accordance with the Decision including the Basic Principles and the Method of Operation and other relevant texts common to all Schemes (Annexes I and V to this Decision) as well as the Rules and Regulations applicable to each Scheme (Annexes VI to XIII).

2. Any OECD Seed Scheme shall be:
- open to all Members of the Organisation, as well as to any Member of the United Nations, its Specialised Agencies or the World Trade Organisation desiring to participate therein in accordance with the procedure for participation set out in Annex III to this Decision;
 - implemented by the Authorities designated for that purpose by, and responsible to, the Governments of the States adhering to the Scheme.

The list of participating States in one or more Schemes appears in Annex IV.

3. A State desiring to adhere to one or more OECD Seed Scheme(s) shall notify the Secretary-General, who shall inform the other participating States accordingly.
4. If a State participates in an OECD Seed Scheme, it shall be obligatory for that State, as regards each lot of seed certified under the Scheme, to take the necessary steps:
- to apply the Basic Principles and the Method of Operation common to all Seed Schemes (Annexes I and II to this Decision);
 - as well as the Rules and Regulations of the relevant OECD Seed Scheme (in Annex to this Decision);
 - and to ensure their application by the Authorities referred to in paragraph 2 (b) above.

However, participating States may derogate from these Rules and Regulations under the conditions set out in Annex V to this Decision. States participating in an experiment by derogation shall notify the Secretary-General who shall inform the other participating States accordingly.

5. A participating State desiring to lodge a complaint concerning the non-execution of the aforementioned obligation, may lay the matter before the Organisation. The complaint shall be examined by the Committee for Agriculture which shall report to the Council.
6. Any time the words “country” or “State” are used in the Decision and its Annexes, it shall be read as “country and economy” or “State and economy”.
- II. INSTRUCTS the Committee for Agriculture to report to the Council, when it considers it appropriate, on the operation of the OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade, and to submit to the Council, where necessary, any proposal for modifying these Schemes.
- III. DECIDES:

This Decision replaces the Decisions of the Council C(71)131(Final) of 16 March 1971, C(88)66(Final), C(88)67(Final), C(88)68(Final), C(88)69(Final) and C(88)70(Final) of 10 October 1988, as well as their respective amendments referred to above, which are hereby repealed.

Annex I to the Decision

Basic Principles

1. The objective of the OECD Schemes for the varietal certification of seed is to encourage the use of seed of consistently high quality in participating countries. The Schemes authorise the use of labels and certificates for seed produced and processed for international trade according to agreed principles.
2. Eight Schemes are defined according to groups of species of cultivated plants:
 - Grasses and legumes
 - Crucifers and other oil or fibre species
 - Cereals
 - Fodder beet and sugar beet
 - Subterranean clover and similar species
 - Maize
 - Sorghum
 - Vegetables.

Each Scheme includes a set of Rules and Regulations aiming at the varietal certification of seed, except for the Vegetable Seed Scheme where generally traded seed, "Standard Seed", may not be certified but only controlled.

3. If a country participates in one or more OECD Scheme(s), it is obliged to ensure that the Rules and Regulations of the Scheme(s) are strictly observed.

4. Definitions

The following definitions apply for the purposes of varietal certification under the OECD Seed Schemes:

4.1 *Varietal identity*

The identity of a variety is defined by the official description of its characteristics, resulting from a given genotype or combination of genotypes.

4.2 *Varietal purity*

The varietal purity is the proportion of plants or seeds within the population that conforms to the official description of the variety.

Plants or seeds are considered as varietal impurities (off-types) when they are obviously different from the variety.

5. The Schemes are based on the following principles:

- 5.1 They include only those varieties which are officially recognised as distinct and having an acceptable value in at least one participating country, with the exception of the derogation procedure described in Annex V-A. The names of these varieties are published in official lists.
- 5.2 All the Certified Seed produced must be related directly through one or more generations to authentic Basic Seed of the variety. The number of generations permitted for cross-pollinating species or varieties must be strictly limited. The main factor determining the standard of Certified Seed is the varietal purity of Basic Seed and, for this reason, special tests for Basic Seed are prescribed. Satisfactory conditions for the production and processing of Basic and Certified Seed must be ensured and verified by field inspection and post-control tests.
- 5.3 Post-control tests are conducted to ascertain that the Schemes are operating satisfactorily. In particular, these tests are intended to determine that the characters of varieties have remained unchanged in the process of multiplication and to enable the varietal identity and purity of individual seed lots to be verified.

6. Annual contribution

- 6.1 Expenditures required for the functioning of the Schemes shall be defrayed from appropriations under Part II of the Budget of the Organisation. The country participating in one or several of the Schemes agrees to the payment to the OECD of an annual contribution which is the sum of the following two elements:
 - a basic fee of EUR 2 700
 - an additional fee applied to each country participating in the Scheme (OECD Members and non-Members) according to the criteria set out in the Resolution of the Council C(63)155(Final) as amended.
- 6.2 The contribution is adjusted annually according to the level of expenditures required for the functioning of the Schemes and according to the change in the price index and scales used in the Organisation's budget procedures. The annual contribution of a new participating country shall remain a net addition to the budget of the Schemes. The Secretariat shall report any default in payment to the Bureau for the Schemes which shall take all appropriate measures, including reviewing the status of the participating country.
- 6.3 A participating country shall fall into arrears on 1 January of the year following the year of the call for the payment of the annual contribution (basic fee and additional fee), if this contribution remains fully or partly unpaid at that date. In this first year of arrears, new entries submitted by the country in arrears for inclusion in the OECD List of Varieties Eligible for Seed Certification shall not appear on the new List unless the debt is settled. In the second year of arrears, no documentation shall be sent to the country and all formerly listed varieties shall be removed from the new List at the time of publication. In the third year of arrears, the country shall be notified by the OECD of a proposal to exclude it from participation in the Schemes. The decision of exclusion shall be adopted by the OECD Council, on the proposal of the Annual Meeting of the National Designated Authorities and of the Committee for Agriculture, unless the Council decides by consensus not to adopt the decision. The decision of exclusion shall be notified to the country.
- 6.4 Settlement by the country in arrears of the debt in the first or the second year shall reverse all the measures previously taken. Settlement of the debt in the third year and reversal of all the measures previously taken shall be subject to a decision by the Annual Meeting of the National Designated Authorities based on

the results of an evaluation mission at the expense of the country in arrears, in accordance with the conditions for the admission procedure for a new country provided for in Annex III to the Decision, section 3. When a participating country is excluded, it shall lose all rights to use OECD seed certificates and labels in international transactions. Participants and observers to the OECD Seed Schemes shall be notified of all developments associated with the application of this procedure.

- 6.5 The present procedure shall apply to arrears of the contributions due for 2006 and the successive years. Arrears of contributions due for one or more years before 2006 shall be subject to a separate settlement with the Organisation.
7. The success of the Schemes depends upon very close co-operation between the maintainers of varieties eligible for certification and the Designated Authorities in participating countries. When seed multiplication takes place outside a country of registration of a variety, close contact may need to be established between the Designated Authority in a country of registration and the Designated Authority in the country of multiplication to enable seed varietal certification.

Annex II to the Decision

Method of Operation

1. The Government of each country participating in the Schemes will designate the Authorities responsible for implementing them in that country.
2. The OECD will circulate the names and addresses of the National Designated Authorities and any changes in their designation to all countries participating in the Schemes and to all observers.
3. The operation and development of the Schemes shall be reviewed at the Annual Meeting of representatives of the National Designated Authorities where Participating Countries, Members and non-Members, sit in alphabetic order. This Annual Meeting shall report on its work and make such proposals as deemed necessary to the Council of the OECD, subject to prior endorsement by the Committee for Agriculture.
4. The Officers of the Annual Meeting shall be a Chairman and two Vice-Chairmen, nominated at the end of the previous Annual Meeting and they shall take up their duties upon official approval of the Summary Record of that Meeting. In order to assure continuity and effective co-operation with the Secretariat, except as otherwise provided in the Rules of Procedure of the Organisation, it is desirable that the two Vice-Chairmen be the Chairman-Designate and the Past-Chairman. Their terms should not exceed two years and the chairmanship, which is also open to non-member countries, should reflect the participation of various regions of the world.
5. The OECD Secretariat shall ensure the co-ordination of the implementation of the Schemes at the international level. However, some activities may be delegated by contract to a national institute of a Participating Country acting as technical Co-ordinating Centre. The costs incurred shall be recovered under the annual contract between the OECD and this Institute.
6. A Bureau is made up of the Officers of the Annual Meeting; the Co-ordinating Centre takes part in the work. Its task is to assist the Secretariat in the preparation of the next Annual Meeting, including matters relating to the admission of new countries and to propose solutions, when necessary, to urgent problems that may arise out of the implementation of the Schemes. The Bureau is convened by the Secretariat at the request of any one of its Members or any country participating in the Schemes. It can provide counsel in writing and invite one or more participating countries to be represented.
7. When seed lots are officially labelled and fastened under these Rules and Regulations, it is understood that all tests and inspections have been made in strict accordance with the Rules and Regulations.
8. Certification and the use of the labels and certificates prescribed in these Rules and Regulations shall not involve the OECD in any liability for compensation.

Annex III to the Decision

Procedure for a New Country to Join One or More OECD Seed Schemes

1. Eligibility for the OECD Seed Schemes

- 1.1 OECD Member countries may participate in the Schemes on the basis of a written notification to the Secretary-General of the OECD.
- 1.2 A Member of the United Nations Organization, its Specialised Agencies or the World Trade Organisation may submit a written application to the Secretary-General of the OECD to participate in one or more Scheme(s).
- 1.3 The technical criteria necessary to operate the Schemes shall apply equally to OECD Members and non-Member countries.

2. Technical criteria

Technical criteria to be satisfied by the notifying or applicant country are set out in the rules of the OECD Seed Schemes in force and include the following:

- 2.1 The country shall provide a description of the national scheme for the certification of seed and a copy of the national rules and procedures governing the certification of seed.
- 2.2 A comparison shall be made between the OECD Scheme rules and the rules of the national scheme, for each Scheme to be implemented, especially in respect of:
 - i) previous cropping;
 - ii) isolation, both physical and from sources of foreign pollen in the case of cross-pollination species;
 - iii) verification of varietal identity;
 - iv) varietal purity standards.
- 2.3 The country shall describe the development of its certification scheme over the previous five years and specify in detail the amounts of certified seed produced during the three most recent years.
- 2.4 The country shall have a national list of varieties, the seed of which is intended to be certified under the OECD Schemes in the immediate future. The national list of varieties shall include only those varieties that have been tested and found to be distinct, uniform and stable following internationally recognised guidelines and, in the case of agricultural species, varieties also found to have acceptable Value for Cultivation and Use in at least one country.
- 2.5 The country shall have been growing-on samples of Basic and Certified seed in pre- and post-control plots for at least three years. The pre- and post-control plots must be carried out according to OECD methods or similar domestic methods, with the results presented to the Secretariat.
- 2.6 The country shall dispose of suitably qualified staff and all the necessary facilities to enable seed certification to be carried out effectively according to the rules and procedures of the OECD Seed Schemes.
- 2.7 The country shall give information on the nature and prospects of current international seed trade, as well as indicate participation in international seed-related organisations.

3. Evaluation mission

- 3.1 The OECD Secretariat shall acknowledge receipt of the notification/application and shall examine the attached technical documentation. If the technical documentation is satisfactory, the Secretariat shall organise an evaluation mission to the notifying/applicant country, well in advance of the Annual Meeting of the OECD Seed Schemes. The tasks of the mission shall be:
- i) to ascertain that the technical and administrative implications of the Rules of the Schemes, as well as its organisation procedures and facilitation of international trade are well understood;
 - ii) to ascertain that adequate technical and administrative facilities are available for the operation of the Schemes. The various steps of the certification process (field inspection, control plots, sampling, sealing, labelling, laboratory analysis, etc.) shall be evaluated accordingly;
 - iii) to consider and make recommendations on the need for expert assistance during the initial period of operating the Schemes.
- 3.2 The evaluation mission shall provide an objective assessment on the ability of the notifying/applicant country to fulfil the Seed Schemes' technical criteria.
- 3.3 The evaluation mission shall be carried out by experts nominated by, and reporting directly to the OECD Secretariat. Their conclusions and recommendations will be based on the findings of the evaluation mission. A comprehensive Evaluation Report, including conclusions and recommendations, will be drafted by the Secretariat and the Evaluation Team for discussion and approval at the Annual Meeting of the OECD Seed Schemes.
- 3.4 In the course of the evaluation process, the applicant country and all countries participating in the OECD Schemes shall respect due process and ensure the independence and objectivity of the evaluation process and the subsequent decision making.
- 3.5 The process of preparation for accession is the responsibility of the OECD Secretariat, in close cooperation with the applicant country, the evaluation experts and the Bureau. All correspondence with the evaluation experts shall be done through the OECD Secretariat.
- 3.6 The notifying/applicant country will be responsible for the financing of the mission (travel costs etc.), as well as providing the necessary logistics (interpretation etc.) and contributing to the Evaluation Report.

4. Participation in Annual Meetings

- 4.1 Before admission, the notifying/applicant country shall be authorised to attend the Annual Meeting as an observer, with a view to presenting the documentation submitted according to Section 2 above.
- 4.2 The notifying/applicant country agrees that on admission, its representatives will attend the Annual Meetings of the National Designated Authorities held in Paris, OECD Headquarters, or elsewhere. Representatives attending the Annual Meetings will be persons directly responsible for the implementation of the Schemes in their country. The cost of attendance at the Annual Meetings will be borne by the notifying / applicant country.

5. Supervision by the OECD

- 5.1 The notifying / applicant country shall agree to accept the minimum level of supervision by the OECD, and shall co-operate with the OECD Co-ordinating Centre in regard to the OECD listing of varieties, which is essential if the Schemes are to maintain their integrity. This supervision and co-operation would commence upon admission of a notifying/applicant country to the Seed Schemes, i.e. fulfilment of technical criteria, as set out in Section 2.
- 5.2 If considered necessary by the evaluation mission or by the Annual Meeting in the course of implementation of the Schemes, the OECD may require:
- that a person or persons responsible for the application of the Schemes in the newly admitted country be sent to a selected OECD country or to the Co-ordinating Centre for a period of further instruction; and/or
 - that an annual visit, for the first two years, be made by a seed certification specialist selected by the OECD. The specialist will examine the administrative and technical procedures operated by the new participating country with particular reference to seed crop inspection and control plot recording.
 - The OECD, in consultation with the authorities of the new participating country, will decide the timing and duration of these measures and the financing of them will be the responsibility of the country.

6. Annual contribution

The notifying / applicant country shall agree to the payment to the OECD of an annual contribution as set out in the General Principles, section 6 of Annex I of this Decision. This shall be effective starting from the calendar year immediately following the year of the Decision of the Council admitting the country to the OECD Seed Schemes.

7. OECD internal procedure for ratifying new country participation

Provided the OECD is satisfied with the results of the review mentioned in section 3 and the notifying / applicant country has agreed, in writing, to respect the undertakings set out in sections 4, 5 and 6, the Annual Meeting will recommend that country adherence be acknowledged. The Committee for Agriculture of the OECD will then be invited to endorse the acknowledgement and request that the Council ratify the participation of the country.

8. Notification

The Secretary-General of the OECD shall notify the country of the outcome of the procedure. The National Designated Authorities of all the countries participating in the Schemes will be informed accordingly.

9. Specimen labels and certificates

The new participating country shall submit to the OECD Secretariat for approval specimens of the OECD labels and certificates to be used by the National Authority, before implementing seed certification according to the OECD Schemes.

Annex IV to the Decision
List of Participants
in one or several OECD Seed Schemes

ALBANIA	(2)	LITHUANIA	(2)
ARGENTINA	(2)	LUXEMBOURG	(1)
AUSTRALIA	(1)	MEXICO	(1)
AUSTRIA	(1)	MOLDOVA	(2)
BELGIUM	(1)	MOROCCO	(2)
BOLIVIA	(2)	NETHERLANDS	(1)
BRAZIL	(2)	NEW ZEALAND	(1)
BULGARIA	(2)	NORWAY	(1)
CANADA	(1)	POLAND	(1)
CHILE	(1)	PORTUGAL	(1)
CROATIA	(2)	ROMANIA	(2)
CYPRUS ¹	(2)	RUSSIAN FEDERATION	(2)
CZECH REPUBLIC	(1)	SENEGAL	(2)
DENMARK	(1)	SERBIA	(2)
EGYPT	(2)	SLOVAKIA	(1)
ESTONIA	(1)	SLOVENIA	(1)
FINLAND	(1)	SOUTH AFRICA	(2)
FRANCE	(1)	SPAIN	(1)
GERMANY	(1)	SWEDEN	(1)
GREECE	(1)	SWITZERLAND	(1)
HUNGARY	(1)	TANZANIA	(2)
ICELAND	(1)	TUNISIA	(2)
INDIA	(2)	TURKEY	(1)
IRAN	(2)	UGANDA	(2)
IRELAND	(1)	UKRAINE	(2)
ISRAEL	(1)	UNITED KINGDOM	(1)
ITALY	(1)	UNITED STATES	(1)
JAPAN	(1)	URUGUAY	(2)
KENYA	(2)	ZIMBABWE	(2)
KYRGYZSTAN	(2)		
LATVIA	(1)		

(1) OECD Member Country

(2) Non OECD Member Country

¹ Note by Turkey

The information in this document with reference to « Cyprus » relates to the southern part of the Island. There is no single authority representing both Turkish and Greek Cypriot people on the Island. Turkey recognises the Turkish Republic of Northern Cyprus (TRNC). Until a lasting and equitable solution is found within the context of the United Nations, Turkey shall preserve its position concerning the “Cyprus issue”.

Note by all the European Union Member States of the OECD and the European Union

The Republic of Cyprus is recognised by all members of the United Nations with the exception of Turkey. The information in this document relates to the area under the effective control of the Government of the Republic of Cyprus.

Annex V to the Decision
Procedures and Experiments by Derogation

Procedure Applicable by Derogation to the Control of Varieties being under Examination for Registration on a National List

1. As a derogation, a National Designated Authority may, with a view to inspecting compliance with field requirements, accept a variety or a parental component of a hybrid variety that is in the examination process for admission to the official list of its country or of another country participating in the relevant Seed Scheme.
2. The inspection shall be conducted in accordance with the procedure set out in the relevant Appendix of each Scheme.
3. Final certification of the seed shall be decided by the National Designated Authority of the country admitting the variety after registration on the national list.

Part II

RULES AND REGULATIONS OF THE SEED SCHEMES

**SECTION A: INFORMATION APPLICABLE TO ALL SCHEMES
(Except Vegetables)**

Common Rules and Regulations

- 1. General**
- 2. Acceptance of Varieties and Parental Constituents**
- 3. List of Eligible Varieties and Parental Constituents**
- 4. Designation of categories of seed**
- 5. Production of Pre-basic, Basic and Certified Seed**
- 6. Production of Basic and Certified Seed outside a country of registration of the varieties**
- 7. Control of the production of the seed**
- 8. Post-control tests of the seed**
- 9. Seed lots and fastening of containers**
- 10. Identification of contents of seed containers**
- 11. Re-packing and re-labelling in another country**
- 12. Certification of mixtures of herbage seed**
- 13. Certification of varietal associations of hybrid grass and legume seed**
- 14. Certification of varietal associations of hybrid Swede rape seed**
- 15. Certification of varietal associations of hybrid maize seed**

Common Appendices

- Appendix 1. Definitions of terms used for the purpose of the scheme
- Appendix 2. Reference numbers for certificates and seed lots
- Appendix 3. Specifications for the OECD label or marking of seed containers
- Appendix 4. Specimen certificate and analysis results
- Appendix 5. Conditions for operating activities of the seed certification process by authorised persons and laboratories under official supervision
- Appendix 6. Procedure for the extension of the scheme to include, for the purposes of field inspection, varieties under examination for registration on a national list

Common Rules and Regulations

The following common rules and regulations apply to all of the OECD Seed Schemes. Specific exceptions are marked within boxes.

1. General

- 1.1 The OECD Seed Schemes shall cover seed of varieties of crops (detailed in the specific Schemes) produced, processed, sampled, labelled and fastened in accordance with the Rules and Regulations which form the subject of the following paragraphs and which are regarded as minimum requirements.
- 1.2 The list of species eligible for certification according to the various Schemes is given in Appendix 2 of that Scheme. This list can be increased by common agreement of the National Designated Authorities.
- 1.3 The Scheme shall be implemented in the participating countries under the responsibility of the national governments that will designate authorities for this purpose.
- 1.4 The list of countries participating in the various OECD Seed Schemes is given in Appendix 3 of that Scheme.

2. Acceptance of Varieties and Parental Components

- 2.1 Varieties shall be accepted into a Scheme only if satisfactory results have been obtained by tests (including comparative field tests) in at least one participating country. These tests shall be conducted by the National Designated Authority or by a competent national body² authorised or recognised by the National Designated Authority. These tests should be based on internationally recognised guidelines³.
- 2.2 For a variety, the tests shall establish that the variety is distinct and is sufficiently uniform and stable in the expression of its characteristics.
- 2.3 An official description of the variety, and the parental components of hybrid varieties, must be issued by the National Designated Authority or produced under its official supervision by the authorised or recognised competent national body referred to in paragraph 2.1. The description shall be accurate and adequate to enable the variety to be identified. The description shall include the essential morphological, physiological or other additional characteristics of the variety which distinguish it from other varieties of the same species on the condition that they are included in the variety description and varietal test guidelines⁴.
- 2.4 The official description shall be held by, or on behalf of, the National Designated Authority responsible for registration of the variety. A copy of the description is to be supplied to other National Designated Authorities on request. In the case of hybrid varieties the description of the parental

² This body may have a regional coverage and there can be more than one.

³ Such as UPOV Test Guidelines.

⁴ Such as UPOV Test Guidelines.

components must be made available on request to other National Designated Authorities.

- 2.5 When distributed, the official description shall be identifiable as authentic when received directly from the National Designated Authority.
- 2.6 A standard sample of the variety and the parental components of hybrid varieties shall be retained by the National Designated Authority or by a competent body authorised by and under official supervision of the National Designated Authority. The standard sample represents the variety. The variety description and official definitive sample of the variety constitute the reference to be used by National Designated Authorities to check the varietal identity and varietal purity during field inspection of seed crops and control plots.
- 2.7 The varieties shall have an acceptable value for cultivation and use in at least one country and a country may require tests to confirm if that variety has such a value within its territories.

3. List of Eligible Varieties and Parental Constituents

- 3.1 In each country, an official national list of varieties that have been accepted into the Scheme after the tests referred to in Rule 2 shall be published and annually revised. Synonyms and homonyms must be clearly indicated in these lists.
- 3.2 Only seed of listed varieties and parental constituents is eligible for certification according to the Scheme. For a hybrid variety, listing of the variety is understood to include the parental constituents (see Rule 2.2). Inbred lines or crosses intended as potential parental constituents may also be listed separately.
- 3.3 The varieties of each species shall be grouped in the lists as follows:
 - i) bred varieties with names and addresses of their maintainers;
 - ii) local varieties with region of origin and address of the person or organisation to whom enquiries about the variety should be sent.
- 3.4 Varieties shall not be maintained in the list if the conditions of acceptance are no longer fulfilled.

3.5 *OECD List of Varieties*

- 3.5.1 The OECD List of Varieties Eligible for Certification is an official list of varieties which have been accepted by National Designated Authorities as eligible for certification in accordance with the Rules of the OECD Seed Schemes. The List of Varieties, which is revised annually on the basis of notifications received from the Designated Authorities participating in the Schemes, includes details of the maintainer(s) of the variety and the name of the country(ies) where the variety has been registered. The List is not limited and should provide useful information when applying Rules 5.2.2 and 5.3.2 of the present Scheme for Basic Seed and Certified Seed respectively.
- 3.5.2 The OECD Secretariat provides the National Designated Authorities with the instructions for the listing of varieties in the List.
- 3.5.3 The Designated Authority of a country of registration is responsible for:
 - i) ensuring that the variety to be OECD listed has been registered on the National Official List;

- ii) communicating the name of the person(s) or organisation(s) responsible for the maintenance of the variety;
- iii) liaising with the maintainer of the variety;
- iv) providing written agreement for the multiplication of seed outside the country of registration to the Designated Authority in the country of multiplication if that Designated Authority requests a written agreement. If a written agreement is requested, it must provide details of the identity of the seed to be multiplied, include the breeding formula in the case of a hybrid variety and its denomination, confirm the category of the seed to be harvested and confirm the current status of the variety in relation to National Listing. The agreement may be sent by e-mail.
- v) When requested, supply to the NDA in the country of multiplication for control plot testing:
 - an official definitive sample or an approved standard sample of the variety to provide an authentic reference of the variety;
 - in the case of a hybrid variety, official definitive samples or approved standard samples of the parental components.
- vi) establishing an official description of the variety and of the parental components in the case of a hybrid variety;
- vii) verifying the identity of the seed to be multiplied.
- viii) in particular, this Authority must:
 - be satisfied, after consulting the maintainer, that the variety is likely to remain true to its description under the conditions proposed;
 - decide, after consulting the maintainer if felt necessary, whether more than one generation of increase should be permitted in the country of multiplication and, if so,
 - decide the maximum number of these multiplications;
 - decide the number of harvests that are permissible for crops where more than one seed harvest is possible from one sowing.

4. Designation of categories of seed

4.1 The following categories of seed are recognised in the Schemes:

- Pre-Basic Seed;
- Basic Seed;
- Certified Seed.

5. Production of Pre-Basic, Basic and Certified Seed

5.1 *Pre-Basic Seed*

On request, Pre-Basic Seed may be officially controlled and a special label provided for it. Except for hybrid varieties, it is essential to identify the stage in the multiplication cycle which Pre-Basic Seed has reached and there shall be a statement of the number of generations by which the seed precedes Certified Seed, first generation.

5.2 *Basic Seed*

5.2.1 Bred varieties

Basic Seed shall be produced under the responsibility of the maintainer who will:

- decide, in consultation with the Designated Authority, the number of generations from parental material before Basic Seed, which number must be strictly limited;
- maintain a sufficient supply of seed for sowing to produce Basic Seed;
- ensure that it preserves the characters of the variety;
- supply the Designated Authority, when requested, with samples of this seed.

If the Basic Seed is produced in a country other than a country of registration of the variety, technical conditions must be agreed in advance by the Designated Authorities of both countries concerned.

5.2.2 Local varieties

Basic Seed shall be produced under the supervision of the Designated Authority within the defined region of registration.

5.3 ***Certified Seed***

5.3.1 Certified Seed of bred and local varieties may be produced either inside or outside the country of registration of the variety.

5.3.2 The technical conditions for the production of Certified Seed of bred and local varieties must be approved by the Designated Authority which must decide, after consulting the maintainer, whether more than one generation of Certified Seed from Basic Seed should be permitted and, if so, the number of generations that should be allowed. For crops where more than one seed harvest is possible from one sowing, the Designated Authority must decide the number of harvests that are permissible.

6. **Production of Basic and Certified Seed outside a country of registration of the variety**

6.1. The Designated Authority of the country of multiplication is responsible for:

- i) Confirming the eligibility of the seed *to sow* for OECD certification by ensuring that the appropriate OECD labels are attached to the seed containers and an OECD certificate is issued. In the absence of an OECD certificate, there must be direct communication with the Designated Authority in the country of registration for confirming the eligibility of the seed for OECD certification.
- ii) Ensuring that the official description of the variety, or of the parental components, in the case of a hybrid variety, is available before the crop inspection season commences. In the case of a variety that has not yet been registered on a National List of Varieties, ensuring that the official or provisional description of the variety, or of the parental components, in the case of a hybrid variety, is received before the crop inspection season commences. The description should be based on internationally recognised guidelines such as those provided by UPOV or OECD.
- iii) If required, ensuring that a sub-sample taken from the official definitive sample or the approved standard sample of the variety is available in a timely manner and, in addition, in the case of a hybrid variety, ensuring that sub-samples taken from the official definitive samples or the approved standard samples of the parental components of the variety are available. The sub-samples would be used to sow control plots to provide authentic reference of the variety or of the parental components.
- iv) Making the official or provisional description(s) available to the seed crop inspectors and the control plot recorders before inspection and control plot recording takes place.
- v) Ensuring that the appropriate OECD labels are attached to the containers of the produced seed lots.
- vi) In the absence of an OECD certificate, there must be direct communication with the Designated Authority of the country of registration.

7. **Control of the production of the seed**

7.1 The National Designated Authority in the country of multiplication of the seed is responsible for implementing the Scheme in relation to that production.

7.2 ***Requirements of the production and field inspection***

7.2.1 In each participating country requirements for the multiplication of Basic and Certified Seed approved under the Scheme as being satisfactory for varietal

identity and purity shall be officially applied. These requirements shall not be lower than those given in Appendix 1 of each Scheme.

- 7.2.2 The National Designated Authority must satisfy itself by inspection of the plants at an appropriate stage or stages during production that the lot is acceptable.
- 7.2.3 In the case of production of seed of “Certified” category, the National Designated Authority may, under official supervision, authorise non-official inspectors to conduct / carry out field inspection with a view to seed certification, on the conditions described in Appendix 5A. The National Designated Authority which decides to use this method must define the operation scope (species, territories, areas and period concerned), ensure the official check inspections, sampling and post-control tests and other requirements as set out in Appendix 5A, and take all necessary measures to guarantee equivalent inspection in the sense of the Schemes for fields inspected by an authorised inspector or by an official.
- 7.3 The National Designated Authority must take all practicable steps to ensure that the identity and varietal purity of the seed have been maintained between harvest and the sealing and labelling.

7.4 **Seed lot sampling and seed analysis**

7.4.1 *Seed lot sampling, fastening and labelling of containers*

- 7.4.1.1 Seed lot sampling, fastening and labelling of containers shall be made by the National Designated Authority.
- 7.4.1.2 An official sample shall be drawn from each cleaned lot of Basic and Certified Seed submitted for certification and the seed containers fastened and made identifiable or labelled in accordance with Rules 9 and 10. The samples shall be large enough to meet the requirements outlined in this Rule and Rule 8.

Within the **Sugar Beet and Fodder Beet Seed Scheme** only, for the laboratory tests the minimum weight of a sample from each lot shall be 500 grams.

The sample shall be drawn according to current international methods for seed sampling recognised by the National Designated Authority.

- 7.4.1.3 The National Designated Authority may authorise non-official persons to carry out, under official supervision, seed sampling, fastening and labelling of containers on the conditions described in Appendix 5-B. If the National Designated Authority decides to use this procedure, it must define its scope (activities, species, seed categories and persons concerned). The National Designated Authority shall take the official check samples and satisfy itself of verifications and other requirements as set out in Appendix 5-B, and take all measures which guarantee equivalent operations by an authorised person or by an official.
- 7.4.1.4 One part of each sample shall be available to meet the requirements of Rule 8.
- 7.4.1.5 Another part of each sample shall be submitted to a laboratory for seed analysis.
- 7.4.2 *Seed analysis*
- 7.4.2.1 Seed analysis of the sample shall be made by the official laboratory designated by the National Designated Authority.

7.4.2.2 Seed analysis of the sample shall be conducted for analytical purity and germination according to current international methods for seed testing recognised by the National Designated Authority.

For **Sugar Beet and Fodder Beet** only, for monogerm varieties and precision seed the proportion of seed giving rise to single seedlings shall also be determined

7.4.2.3 The National Designated Authority may authorise non-official laboratories to carry out, under official supervision, seed analysis in accordance with Appendix 5-B. If the National Designated Authority decides to use this procedure, it must define its scope (activities, species, seed categories and persons concerned). The National Designated Authority shall undertake the official check analysis and satisfy itself of verifications and other requirements as set out in Appendix 5-B, and take all measures which guarantee equivalent operations by an authorised laboratory or by an official laboratory.

7.4.3 *Sample storage*

For Basic Seed a third part of each sample shall be stored for as long a period as possible for comparison in control plots with future samples of Basic Seed. For Certified Seed a third part of each sample shall be stored for at least one year.

7.4.4 *Certification standards for Sugar Beet and Fodder Beet seed only.*

The lot will only be certified when it reaches the standards given in Appendix 1B of the Scheme, except that when the germination for a Basic Seed lot is below the standard the seed lot may be approved as Basic Seed provided that the germination percentage is stated on the label.

7.4.5 *Other controls as appropriate*

The National Designated Authority is entitled to make any other tests appropriate to the variety concerned and to obtain any information required for the certification of each seed lot.

7.5 *For Sugar Beet and Fodder Beet only: Provisions regarding constituent lines of the seed*

7.5.1 When Basic Seed is composed of a number of separately produced lines, the production of each individual line shall be controlled.

7.5.2 Seed harvested from an individual line will be labelled with the special label for seed "not yet finally certified" as described in Appendix 3. This label will show that the seed is not Basic Seed and must be endorsed to indicate the identity of the line.

7.5.3 When two or more countries are involved in the production of constituent lines of Basic Seed, special arrangements shall be made between the National Designated Authorities concerned.

7.6 *Issue of certificates*

The National Designated Authority may issue certificates for each lot of Pre-Basic, Basic and Certified Seed approved under the Scheme, as follows:

- for Varietal Purity, according to the specimen shown in Appendix 4 A;
- for Analysis Results, according to the procedure outlined in Appendix 4 B.

These two certificates shall carry the same OECD reference number (see Appendix 2).

7.7 Certification under another generation

- 7.7.1 Basic Seed lots which are produced under a system which includes official control of the generation preceding Basic Seed and which are surplus to multiplication requirements may be approved by the National Designated Authority for sale as Certified Seed, first generation; such lots may not be re-labelled as Basic Seed.
- 7.7.2 Where there is official control of the generation or generations before Basic Seed, seed lots approved by the National Designated Authority may be labelled as "Pre-Basic Seed" under the following conditions:
- 7.7.2.1 the crop producing the seed shall have been officially inspected and accepted as at least of the standard required for a crop producing Basic Seed;
- 7.7.2.2 the seed containers shall be officially sampled, fastened and labelled using the special white label with a diagonal violet stripe described in Appendix 3;
- 7.7.2.3 all of the requirements for the control of Basic Seed laid down in Rules 7 and 8 shall apply.

7.8 Blending of lots of the same variety

- 7.8.1 Two or more lots of Certified Seed of the same generation of one variety may be blended before or after export in accordance with the regulations of the National Designated Authority of the country in which the seed is blended. A new reference number will be issued for the blended lot and the contents of the seed containers identified according to Rule 10; when appropriate, Rule 11 shall apply.
- 7.8.2 Records will be kept by the National Designated Authority showing the reference numbers of the lots making up the blend and the proportion of each lot in the blend.
- 7.8.3 Blending must be done in such a way that the new lot is homogeneous.

7.9 Not finally certified seed

- 7.9.1 Seed which is to be exported from the country of production after field approval, but before final certification as Basic or Certified Seed, shall be identified in fastened containers by the special label described in Appendix 3. This label will show that the seed has met the requirements of Rules 7.1 to 7.3 above but is not yet finally certified according to the requirements of Rule 7.4.

For **Sugar Beet and Fodder Beet** only, such seed shall be sampled, the containers fastened and their contents identified with the special label described in Appendix 3. This label will show that the seed has met the requirements of Rules 7.1 to 7.3 above but is not yet finally approved under Rule 7.4. The sample will be stored for future reference.

7.9.2 The National Designated Authorities in the country of production and the country of final certification have to exchange relevant information. On request the country of production shall supply all relevant production data on the seed. The certifying country shall automatically supply information on quantities certified from a given not finally certified seed lot to the National Designated Authority of the country of production.

8. Post-control tests of the seed

8.1 Testing procedures

8.1.1 A part of every sample of Basic Seed (except as provided for in Rule 8.2) and of a percentage of the samples of Certified Seed, drawn under Rule 7.4.1, shall be checked in a post-control test conducted immediately or in the season following the drawing of the samples. The test shall be conducted by, or under the supervision of, the National Designated Authority. The test does not apply to samples drawn under Rule 11.4.2.

8.1.2 The percentage of post-control of certified seed is defined by the National Designated Authority. Its level is generally located between 5 and 10 per cent, the level for cross-pollinating species or varieties being generally higher than for self-pollinating species or varieties, and can be adapted annually according to the results of the previous year control. In particular the National Designated Authority may increase the percentage of post-control of certified seed beyond 10% for any specific case that could induce a non-conformity risk, or if the frequency of post-control failures shown the previous year is high as in the following indicative table.

Frequency of post-control failures for certified seed of previous year	Minimum level of checks in post-control of certified seed of current year
< 0.5%	5%
0.5% - 3.0%	10%
> 3.0%	25%

8.1.3 In post-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.2.

8.2 In those systems of certification in which production of the generations preceding Basic Seed of self-pollinating species or varieties has been officially controlled, the Basic Seed will only be subject to random checks in pre-control plots preceding the production of Certified Seed.

8.3 Notwithstanding Rule 8.1, post-control is obligatory for all samples of Certified Seed when the lot is to be used for the production of further seed generation, being in this case also a pre-control of the following generation.

8.4 In pre-control, such characteristics shall be checked as were used to comply with the requirements of Rule 2.2. When a control plot is a pre-control, the National Designated Authority is not entitled to certify seed derived from the lot concerned if the results from the plot test show that varietal identity or purity has not been maintained.

8.5 Subject to compliance with all prescribed conditions which may include payment of a stated fee, the owner of any lot of seed certified in accordance with the Scheme shall be entitled to receive from the National Designated Authority, in respect of that lot, a statement of the results of any tests for varietal identity and purity assessment.

9. Seed lots and fastening of containers

9.1 Lot Homogeneity

Seed lots presented for sampling under these Rules must be as homogeneous as practicable. The National Designated Authority may refuse to certify any lot when there is evidence that it is not sufficiently homogeneous.

9.2 Lot Size

9.2.1 Lot size information is specific to each individual Seed Scheme, and is presented in the details for each Scheme.

9.3 Fastening of containers

9.3.1 The seed containers shall be fastened at the time of sampling and the contents identified in accordance with Rules 9.3.2 and 10 by the person taking the sample or under their supervision.

For not finally certified seed, the containers shall be fastened by the person normally taking samples for certification or under their supervision.

9.3.2 The seed containers shall be fastened in such a way that they cannot be opened without destroying that fastening or leaving traces showing that it has been possible to alter or change the contents of the container. The effectiveness of the fastening device must be ensured, either by incorporating the label provided for in paragraph 9.3.1 in the device or by use of a seal. Containers are exempted from this requirement if the fastening cannot be reused.

10. Identification of contents of seed containers

10.1 The contents of each container shall be indicated by:

10.1.1 A new label, showing no trace of previous use, issued by the National Designated Authority and which shall conform to the specification in Common Appendix 3. Tie-on labels are only allowed in conjunction with a seal. It must not be possible to reuse adhesive labels;

or

10.1.2 Marking indelibly on the outside of the container all the information required to be printed on the label according to Common Appendix 3 (including an indication of the colour of the label) in a manner approved by the National Designated Authority.

10.2 A model of any label or any printed information must always be submitted to the OECD for prior approval.

10.3 A copy of the information required under this Rule may be enclosed in each container but must be clearly differentiated from the OECD label on the outside of the container.

10.4 There is no need to use the white label for Basic Seed if the Basic Seed has been produced and is to be used in the same country and has affixed thereto a national label containing all necessary information.

11. Re-packing and re-labelling in another country

11.1 The expression “re-packing and re-labelling” shall be understood to include the use of labels that may also serve as a sealing device according to Rule 9.3.2 and methods of identifying seed containers described in Rule 10.

- 11.2 A National Designated Authority wishing to re-package and re-label a particular seed lot which has been produced in another country is only required to make an arrangement with the National Designated Authority of the country of production, if the re-labelling was carried out to allow for certification at a different seed category.
- 11.3 Basic and Certified Seed re-packaged and re-labelled under these rules shall be recognised as "Seed certified according to the OECD {INSERT NAME} Seed Scheme".
- 11.4 **When re-packing and re-labelling take place:**
- 11.4.1 the original seals and labels shall be removed and all operations conducted in the presence of an authorised representative of the National Designated Authority who will supervise the re-packing and re-labelling;
- 11.4.2 the new labels may retain the original seed lot reference number, but if a new number is allocated, details of the original one must either be kept by the National Designated Authority or included on the new labels. The original country of production and a statement relating to re-packing and re-labelling shall be given on the labels.
- 11.4.3 When blends are made, the blended lot shall be given a new seed lot reference number. The National Designated Authority will keep records to show the reference numbers of the lots making up each blend and the proportion of each lot in the blend. If the lots making up the blend have been produced in different countries all the countries of production must be indicated on the label. Each blended lot shall be sampled and a part of the sample shall be used in accordance with Rule 7.4.
- 11.4.4 Rule 10.3 shall apply accordingly.
- 12. Certification of mixtures of herbage seed**
- Mixtures of herbage seed are eligible for certification under the OECD Grass and Legume Scheme, the Subterranean Clover and Similar Species Scheme and the Cereal Scheme. The minimum requirements to be satisfied are described in Appendix 4 of the Grass and Legume Scheme.
- 13. Certification of varietal associations of hybrid grass and legume seed**
- Varietal associations of hybrid varieties of all grass and legume species are eligible for certification under the OECD Grass and Legume Seed Scheme. The minimum requirements to be satisfied are described in Appendix 5 of that Scheme.
- 14. Certification of varietal associations of hybrid Swede rape seed**
- Varietal associations of hybrid Swede rape seed (*Brassica napus* var. *oleifera*) are eligible for certification under the OECD Crucifer Seed and other Oil or Fibre Species Seed Scheme. The minimum requirements to be satisfied are described in Appendix 4 of that Scheme.
- 15. Certification of varietal associations of hybrid maize seed**
- Varietal associations of hybrid maize seed are eligible for certification under the OECD Maize and Sorghum Seed Scheme. The minimum requirements to be satisfied are described in Appendix 4 of the Maize Seed Scheme.

Common Appendices

The following common appendices apply to all of the OECD Seed Schemes. Specific exceptions within a common appendix are outlined in boxes.

Common Appendix 1

Definitions of Terms used for the Purpose of the Schemes

1. **Seed⁵**
Seed of the appropriate plants grown in one or more of the countries participating in the Schemes.
2. **National Designated Authority**
Authority designated by, and responsible to, the government of a participating country for the purpose of implementing these Rules and Regulations.
3. **Maintainer**
The person or organisation responsible for the production or maintenance of a bred variety included in a national list of varieties eligible for certification under an OECD Scheme. The maintainer shall ensure that the variety remains true to type throughout its full life-span and, in the case of hybrid varieties, that the formula for hybridisation is followed. Maintenance of a variety may be shared.
4. **Variety**
 - 4.1 Two types of variety are recognised in the Schemes a) Local, and b) Bred.
 - 4.2 A **Local Variety** (where recognised) derives from a defined region of origin which has been shown by official tests to have sufficient uniformity, stability and distinctness to warrant recognition, but has not been produced as a result of breeding work.
 - 4.3 A **Bred Variety** is one which has been produced by a plant breeder as the result of breeding. Bred varieties can be non-hybrid or hybrid in type.
 - 4.3.1 A **Non-Hybrid Variety** is an assemblage of cultivated plants which is clearly distinguished by any characters (morphological, physiological, cytological, chemical or others) and which, when reproduced, (sexually or asexually) retains its distinguishing characters. Different types of non-hybrid varieties exist in different species and hence are relevant for different Schemes, viz:
 - 4.3.1.1 **Open-pollinated variety**
An open-pollinated variety is an assemblage of cultivated plants which is clearly distinguished by any characters (morphological, physiological, cytological, chemical or other) and which, when reproduced retains its distinguishing characters.

^{1.} A list of species eligible for certification under the Schemes will be approved and, when necessary, revised by the Annual Meeting. This list will be published in the List of Varieties, sub-divided by Scheme.

4.3.1.2 *Synthetic Variety*

A synthetic variety is an open-pollinated variety obtained from specified elements. It is not homozygous but at genetic equilibrium. The number of generations of certified seed is strictly limited.

4.3.1.3 *Composite Variety*

A composite variety is the first generation produced by random mating of a large number of specified parents.

- 4.3.2 A *Hybrid Variety* is an assemblage of cultivated plants which is clearly distinguished by any characters (morphological, cytological, chemical or others) and for which the maintainer has specified a particular formula of hybridisation.

5. Country of registration of a variety

- 5.1 The country of registration of a *local variety* (where recognised) is the country in which the region of origin is situated. The region of origin of a local variety is a distinct farming area which is uniform in respect of climatic conditions and in which similar agricultural practices are followed. The boundaries of this area must be defined.
- 5.2 The country of registration of a *bred variety* is the country where the variety is registered on the National Official Catalogue, following satisfactory tests for distinctness, uniformity and stability.

6. Parental material

The smallest unit used by the maintainer to maintain a variety and from which all seed of the variety is derived through one or more generations.

7. Pre-Basic seed

Seed of generations preceding Basic Seed is known as Pre-Basic Seed and may be at any generation between the parental material and the Basic Seed.

Within the **Sugar Beet and Fodder Beet Seed Scheme**, Pre-Basic Seed is not recognised.

8. Basic seed

8.1 *Local varieties*

Seed which has been produced under official supervision from material officially admitted for the purpose of the local variety on one or more farms situated in an adequately defined region of origin and is intended for the production of Certified Seed. It must conform to the appropriate conditions in the Scheme and the fulfilment of these conditions must be confirmed by an official examination.

8.2 *Bred varieties*

Seed which has been produced under the responsibility of the maintainer according to the generally accepted practices for the maintenance of the variety and is intended for the production of Certified Seed. Basic Seed must conform to the appropriate conditions in the Scheme and the fulfilment of these conditions must be confirmed by an official examination.

9. Certified seed

9.1 *Non-hybrid varieties*

Seed which is of direct descent from either Basic Seed or Certified Seed of a variety and is intended for the production of either Certified Seed or of crops for purposes other than seed production. It must conform to the appropriate conditions in the Scheme and the fulfilment of these conditions must be confirmed by an official examination.

The first generation from Basic Seed is known as:

- Certified Seed, 1st generation.

Further generations are known as:

- Certified Seed, 2nd, 3rd, etc. generation, the appropriate generation being designated.

Within the **Sugar Beet and Fodder Beet Seed Scheme**, Certified Seed is defined as:

Seed which is the first generation of multiplication of Basic Seed of a variety and is intended for the production of sugar beet or fodder beet roots. It must conform to the appropriate conditions in the Scheme and the fulfilment of these conditions must be confirmed by an official examination.

Within the **Subterranean Clover and Similar Species Seed Scheme**, Certified seed is defined thus:

Certified seed

- i) Where a variety does not have specific marker characters that enable it to be distinguished by visual examination in the field from all other varieties grown in the region including any volunteer plants, Certified Seed is a seed that is of direct descent from either Basic Seed or Certified Seed of a variety and is intended for the production of either Certified Seed or of crops for purposes other than seed production. It must conform to the appropriate conditions in the Scheme and the fulfilment of these conditions must be confirmed by an official examination.
- ii) The first generation from Basic Seed is known as:
 - Certified seed, 1st generation.

Further generations are known as:

- Certified seed, 2nd, 3rd, etc. generation, the appropriate generation being designated.

As a result of self-seeding and seed dormancy, the seed produced in the second and subsequent harvest years in a particular field will be a mixture of generations and so the generation number of this seed is not designated. For such seed a red label will be used carrying the term "Mixed Generations".

- iii) Where a variety has specific marker characters which enable it to be distinguished by visual examination in the field from all other varieties grown in the region, Certified Seed need not be of direct descent from either Basic or Certified Seed and may be produced from a crop which did not reveal on inspection more than five per cent of plants of other varieties of the species or related species with similar seeds.

9.2 *Hybrid varieties*

Seed which is the first generation of a cross between Basic seed of a female parent and a male parent, which is intended for the production of crops for purposes other than seed production. It must conform to the appropriate conditions in the relevant Scheme and the fulfilment of these conditions must be confirmed by an official examination. In the production of a multiple-cross hybrid, Certified Seed may on occasion be used to produce pollen-parent or seed-parent plants. The National Designated Authority may re-classify it as Basic Seed for this purpose only.

The following types of seed apply only to the **Sugar Beet and Fodder Beet Seed Scheme**.

- i) **Monogerm Seed**
Genetically monogerm seed with a percentage of the germinated clusters producing single seedlings not less than the minimum specified in Appendix 2.
- ii) **Precision Seed**
Seed designed for use in precision drills with a percentage of seeds giving rise to single seedlings not less than the minimum specified in Appendix 2.
- iii) **Natural Seed**
Seed obtained from the harvested material by the usual processes of drying and cleaning.

The following terms are applicable only to hybrid varieties and seed schemes which include hybrids.

Note that not all terms apply to all species or Seed Schemes.

10. **Eligible Species**

Seed of varieties of the species included in the Scheme(s) that can be certified as hybrid are indicated in the appropriate Scheme.

11. **Parental Material**

The smallest unit used by the maintainer to maintain parental varieties or lines and from which by crossing all seed of the hybrid is derived.

12. **Parental Line**

12.1 ***Inbred line***

An inbred line is a sufficiently uniform and stable line, obtained either by self-fertilisation or cloning accompanied by selection over several successive generations or by equivalent operations.

12.2 ***“A” line***

An “A” line is male sterile and is used as a seed parent.

12.3 ***“B” line***

A “B” line is a male fertile line that is isogenic with the “A” line. It is used as a pollen parent for its multiplication and is capable of maintaining male sterility in the “A” line.

12.4 Restorer line

A restorer line has the capability of restoring fertility to a male sterile line when used as a pollen parent.

12.5 Self Incompatible (SI) line

A male fertile line which is incapable of self-pollination.

12.6 Self Compatible (SC) Line

A male fertile line which is capable of self-pollination.

13. Cytoplasmic Male Sterility

Cytoplasmic male sterility produces male sterility in the seed-bearing female parent used in the production of hybrid varieties. The factor that is centred in the cytoplasm and is maternally transmitted acts only in the absence of pollen restoring genes and results in pollen abortion.

14. Self-Incompatibility

Self-incompatibility occurs in certain species, notably Brassicas, such that fertile male and female lines are incapable of self-pollination.

15. Emasculation

The removal of the stamens from the flowers of the seed parent before they have dehisced, to prevent self-pollination.

16. Chemical Hybridisation Agent (CHA)

A chemical which, when applied at a certain growth stage to the potential seed-bearing parent, either suppresses pollen production or renders the pollen non-functional, thus making the plants male sterile.

17. Sterility

The level of male sterility of the female seed parent plants.

18. Types of hybrid

18.1 Single Cross hybrid

The first generation of a cross between two inbred lines.

18.2 Double Cross hybrid

The first generation of a cross between two single cross hybrids.

18.3 Three-way Cross hybrid

The first generation of a cross between an inbred line and a single cross hybrid.

18.4 Top Cross hybrid

The first generation of a cross between an inbred line or a single cross hybrid and an open-pollinated or synthetic component.

18.5 Intervarietal hybrid

The first generation of a cross between plants grown from Basic seed of two open-pollinated varieties.

19. Hybridity (Varietal purity, Cereals only)

The total hybrid content of the seed including F1 hybrids not true to the F1 hybrid variety but excluding selfed seed and seed of other varieties.

20. Pre-Basic seed (intended for the production of hybrid varieties)

Seed which has met the appropriate conditions in the Scheme and which has been produced under the responsibility of the maintainer according to the accepted practices for the maintenance of the variety or line and is intended for the production of Basic Seed. It includes seed intended to produce:

- a. the synthetic component;
- b. the cytoplasmic male sterile (CMS) line;
- c. the maintainer for the CMS line;
- d. the pollen-parent of the single cross hybrid.

21. Basic seed (intended for the production of hybrid varieties)

Seed which has met the appropriate conditions in the Scheme as verified by an official examination and which has been produced under the responsibility of the maintainer according to the generally accepted practices for the maintenance of a variety or line and is intended for the production of Certified Seed of a hybrid variety. It includes seed intended to produce inbred lines, “A” lines, “B” lines as well as male sterile, maintainer and restorer lines used in the cytoplasmic male sterility system.

In relation to the **Cereal Seed Scheme**, it includes seed intended to produce, the cytoplasmically male sterile single cross hybrid, the (synthetic) pollen parent used to restore fertility to the single cross hybrid, the seed parent which will be treated with a CHA (see 16 above), the pollen parent used to fertilise CHA-treated plants, and the specific mixture of seed of the CMS line and the pollen parent of rye.

22. Certified seed (hybrid variety)

- 22.1 Seed which is the first and only generation of hybridization and is intended for the production of food, grain, fibre, oil or fodder as appropriate. It must conform to the appropriate conditions in the specific Scheme and the fulfilment of these conditions must be confirmed by an official examination.
- 22.2 In the production of a double cross, three-way cross or top cross hybrid, Certified seed may be re-classified as Basic Seed by the National Designated Authority for use as either a pollen parent or seed-bearing parent if the crop has met the appropriate conditions of isolation and varietal purity laid down for the Basic seed and confirmed by an official examination.
- 22.3 For hybrid rye, the production of Certified Seed of the hybrid is produced in mixed cultivation with a ratio of female to male plants that should agree with the maintainer’s prescription.

23. Varietal association

The association of certified seed of a hybrid variety dependent on a specified pollinator with certified seed of one or more specified pollinator varieties; mechanically combined in proportions determined by the persons responsible for their maintenance, with such combination having been notified to the National Designated Authority.

24. Hybrid variety dependent on a pollinator

The male-sterile component within the varietal association.

25. Pollinator

The component shedding pollen within the varietal association.

Common Appendix 2

Reference Numbers for Certificates and Seed Lots

1. In international trade it is desirable that reference numbers should be of a uniform pattern so as to be easily identified.
2. The country of certification shall be denoted by employing the ISO-3166-1 three-letter code. Where there is more than one National Designated Authority in the country, appropriate initial letters should be added, although it is then necessary to take care that this does not conflict with the above-mentioned code.
3. The remainder of the reference number is used to distinguish the seed lot from others harvested in the same country. It is usually convenient to try to arrange that all reference numbers are composed of the same number of digits. This can be done by estimating, in advance, how many lots of seed are likely to be certified and beginning with the required number of noughts. Thus, if the number of certificates to be issued is unlikely to exceed 9 999, the first would be given the number 0001, the tenth would be 0010 and so on. Care must be taken that there is no confusion between reference numbers issued for different seed lots in different years (a code letter can be used to indicate harvest year).

Common Appendix 3

Specifications for the OECD Label or Marking of Seed Containers

1. Description

1.1 **Type:** Labels may be *either* adhesive *or* non-adhesive. The information may be printed on one side only or on both sides.

1.2 **Shape:** Labels shall be rectangular.

1.3 **Colour:** The colours of the labels shall be:

– Pre-Basic Seed (<i>not applicable to Sugar/Fodder Beet</i>)	White with diagonal violet stripe
– Basic Seed	White
– Certified Seed, 1st Generation	Blue
– Certified Seed, 2nd Generation or successive generations (<i>not applicable to Sugar/Fodder Beet</i>)	Red
– Not Finally Certified Seed	Grey

On all red labels and all grey labels for Certified Seed of second or further generation the appropriate generation number must be stated.

Within the **Subterranean Clover and Similar Species Seed Scheme**, for Certified Seed of mixed generations, the term “Mixed Generations” shall be used.

One end of the label shall be overprinted black for a minimum distance of 3 cm, leaving the rest of the label coloured. For small packages (net weight not exceeding 2 kg) the minimum distance for the overprinting black may be smaller provided that the reference to the OECD scheme is easily read.

1.4 **Material:** The material used must be strong enough to prevent damage in ordinary usage.

2. Reference to the OECD Scheme

Reference to the OECD Scheme shall be printed in English *and* in French within the black portion of the label or on the outside of the seed container (see Rule 9.1.2). This shall read: “OECD Seed Scheme” and “Système de l’OCDE pour les Semences”.

3. Information on the label

3.1 **Prescribed Information** (*see below for the information required within the Sugar Beet and Fodder Beet Seed Scheme*): The following information shall be printed in black type on the coloured portion of the label (white, blue, red or grey):

- Name and address of National Designated Authority:
- Species: (Latin name)
- Variety denomination (or synonym):
- Category: (Pre-basic, Basic, or Certified Seed, 1st, 2nd or other generation)

- Lot Reference Number: (see Common Appendix 2)
- Country of production: (if the seed has been previously labelled as Not Finally Certified Seed).
- Region of production: (for local varieties)
- Statement of re-packing and re-labelling: (if applicable)

On the label for *not finally certified seed* shall appear the statement:

"Not Finally Certified Seed".

For *Pre-Basic Seed* there shall be a statement of the number of generations by which the seed precedes Certified Seed, 1st generation.

3.1.1 For a hybrid variety in the **Cereal Seed Scheme** only, the Basic Seed label may indicate whether it is destined to produce the pollen-shedding parent or the seed-bearing parent. If the parental material of such seed is a variety included in an official national list of varieties that have been accepted into the Scheme, its name shall be given. The name of the final hybrid variety may also be given if desired. If the parental material is not included in such a list, the name of the final hybrid variety must be given, followed by the word "component". The name of the parental material should be added; it may be given as a code name if desired. The Certified Seed label should bear the name of the hybrid variety, followed by the word "hybrid".

3.1.2 Within the **Grass and Legume Seed Scheme** only, for seed produced from fields with the lower isolation distance specified in paragraph 2.1 of Appendix 1 of the Grass and Legume Seed Scheme, the-following statement shall be added:
 "Further multiplication not authorized"

3.1.3 For the **Sugar Beet and Fodder Beet Seed Scheme** only, the following information shall be printed in black type on the coloured portion of the label (white, blue, red or grey):

- Name and address of National Designated Authority:
- The words "Sugar Beet" or "Fodder Beet"
- Variety denomination (or synonym):
- Seed description: (monogerm, precision or natural seed)
- Category: (Basic or Certified Seed)
- Lot Reference Number: (see Common Appendix 2)
- Country of production: (if the seed has been previously labelled as Not finally certified seed)
- Statement of re-packing and re-labelling: (if applicable)

On the label for not finally certified seed shall appear the statement:

- "Not Finally Certified Seed".

The information to be given on the special labels for Seed "not yet finally certified" (see Rules 6.5 and 6.8) shall be the same as for Basic Seed or Certified Seed.

- 3.2 The space allowed and the size of the lettering shall be sufficient to ensure that the label is easily read.
- 3.3 When the information is marked indelibly on the container the layout of the information and the area marked shall conform as closely as possible to a normal label.
- 3.4 ***Additional information on the official label***
- 3.4.1 Official Additional Information: Any space not occupied by the information in paragraph 3.1 may be used for such additional information as the National Designated Authority wishes to give. Such information, however, must be in letters not larger than those used for the prescribed information. It shall be strictly factual and related only to seed certified according to the OECD Seed Scheme. No advertising matter may be used on the label or in the area of the container on which the prescribed information is indelibly marked.
- 3.4.2 Non-official Additional Information: At the discretion of the National Designated Authority in the producing country, barcodes can be placed at the periphery of the official label, within a non-official space of not more than 20 per cent of the total area of the label, to be defined by a different colour background and bearing the title “Information contained within this space is non-official, non-endorsed and not verified by the National Designated Authority”.

4. Languages

All information shall be given in either English or French except reference to the Scheme that must be in both English and French as specified in paragraph 2 above. Translations into any other language may be added if thought desirable.

Common Appendix 4

Specimen Certificate and Analysis Results

A) Specimen Certificate

Certificates must contain all the information outlined below, but the exact arrangement of the text is at the discretion of the National Designated Authority.

Certificate Issued under the OECD Scheme for the Varietal Certification of (*Insert Name*) Seed Moving in International Trade

Name of National Designated Authority issuing the Certificate:

Lot Reference Number:

Species:

Variety: (denomination or synonym)

Statement of re-packing and re-labelling: (if applicable)

Number of containers and declared weight of lot:

“The seed lot bearing this Reference Number has been produced in accordance with the OECD (*Insert Name*) Seed Scheme and is approved/provisionally approved as:⁶

- | | | |
|---|--|---|
| – | Pre-Basic Seed | (White label with diagonal violet stripe) |
| – | Basic Seed | (White label / Grey label) |
| – | Certified Seed, 1st Generation | (Blue label / Grey label) |
| – | Certified Seed, ⁷ ...Generation | (Red label / Grey label)” |

Signature (or an equivalent electronic authorisation):

Place and Date:

6. Delete as necessary.

7. Insert number of generation.

B) Analysis Results

The results of the laboratory analyses should, whenever possible, be given on the Orange International Seed Lot Certificate issued under the Rules of ISTA.

Those countries that do not wish to use this certificate as issued by the Association may use it as a model for reporting the results of laboratory analyses as required in the Rules and Regulations of the Scheme. Specimen copy may be obtained from:

International Seed Testing Association (ISTA)
Zürichstrasse 50
8303 Bassersdorf,
Switzerland
Phone: +41 1 838 60 00
Fax: +41 1 838 60 01
E-mail: ista.office@ista.ch

The certificate issued by ISTA may be used only by those countries which have full authority to do so from the Association. Other countries using this certificate as a model for the presentation of results must ensure that there is no implication that they are issuing an Orange Certificate. For instance, reference to ISTA must not be made and the certificate should not be on orange paper.

Common Appendix 5

Conditions for Operating Activities of the Seed Certification Process

by Authorised Persons and Laboratories under Official Supervision

A) Field Inspection of Seed Crops by Authorised Inspectors under Official Supervision

1. In the case of production of seed eligible for certification, the National Designated Authority may, under official supervision, authorise non-official inspectors to operate field inspections. These inspections will be equivalent to the official inspections on the conditions listed below.⁸
2. In the case of authorised inspectors they shall have the necessary qualifications, either through being trained in the same way as official inspectors, or alternatively their competence shall have been confirmed in official examinations. Authorised inspectors shall be sworn in or sign a statement of commitment to the rules governing official inspections.
3. Where crops are inspected by authorised inspectors, a proportion of these crops must be check inspected by official inspectors. The level of check inspections must be set by the National Designated Authority to adequately assess the performance of the authorised inspectors. That proportion shall be at least five per cent.
4. National Designated Authorities shall determine the penalties applicable to infringements of the rules governing examination under official supervision. The penalties they provide for must be effective, proportionate and dissuasive. Penalties may include the withdrawal of recognition of authorised inspectors who are found guilty of deliberately or negligently contravening the rules governing official examinations. Any certification of the seed examined shall be annulled in the event of such contravention unless it can be shown that such seed still meets all relevant requirements.

B) Seed Sampling (including Fastening and Labelling of containers) and Seed Analysis by Authorised persons or laboratories under Official Supervision

1. Principles
 - 1.1 The National Designated Authority may authorise persons who are not under its direct and exclusive authority to draw, under official supervision, samples under the Schemes (these persons are hereafter called “seed samplers”). Laboratories may also be authorised to carry out seed analysis as required under the Schemes.
 - 1.2 Sampling, fastening and labelling of seed containers may be entrusted to authorised persons. The conditions set out below also apply to Articles dealing with seed sampling, seed containers fastening and labelling and seed analysis as provided by the Rules and Regulations of the Schemes.

⁸ Field inspection of seed crops by authorised inspectors under official supervision is currently not possible for Pre-basic and Basic crops within the EU. Crops produced outside the EU of Pre-basic and Basic seed for export to the EU shall be officially inspected in the field to meet the EC Rules and Standards. For rules to export seed to the EU, please refer to ec.europa.eu/food/plant/plant_propagation_material/equivalence_requirements_non-eu/index_en.htm - and in particular Council Decision 2003/17/EC.

- 1.3 All Scheme Rules and Regulations including obligation of conformity or strict conformity shall be considered satisfied by countries implementing authorisation procedures in the course of certification.
- 1.4 National Designated Authorities cannot deny approval to multiply seed outside the country of origin solely on the grounds that an authorisation was granted to a non-official person or laboratory in the country where seed is intended to be multiplied.

2. Scope

The authorisation may apply to seed certification of all genera and species admitted to the OECD List of Varieties, within the scope defined by the National Designated Authority: activities, species, seed categories, persons, seed companies and laboratories.

3. Seed lot sampling

3.1 *Authorised seed samplers*

- 3.1.1 Seed sampling shall be carried out by samplers who have been authorised for that purpose by the National Designated Authority, under the conditions set out in sections 3.1.2 to 3.1.5.
- 3.1.2 Seed samplers shall have the necessary technical qualifications obtained in training courses organised under conditions applicable to official seed samplers and confirmed by official examinations.
- 3.1.3 They shall carry out seed sampling in accordance with current international methods recognised by the National Designated Authority.
- 3.1.4 Seed sampling premises and equipment must be officially recognised to be satisfactory for the purpose by the National Designated Authority, within the scope of the authorisation.
- 3.1.5 Seed samplers shall be:
 - a) independent natural persons, or
 - b) persons employed by natural or legal persons whose activities do not involve seed production, seed growing, seed processing or seed trade, or
 - c) persons employed by natural or legal persons whose activities involve seed production, seed growing, seed processing or seed trade.

In the case referred to in point (c), a seed sampler may carry out seed sampling only on seed lots produced on behalf of his employer, unless it has been otherwise agreed between his employer, the applicant for certification and the National Designated Authority.

3.2 *Official supervision*

- 3.2.1 The performance of seed samplers shall be subject to proper supervision by the National Designated Authority and shall include check sampling or process monitoring as appropriate. In case of automatic sampling, supervision shall include appropriate monitoring by the National Designated Authority with regular audits of expertise and implementation. Audits shall be made on-site while sampling is in progress.
- 3.2.2 A proportion of the seed lots entered for the official certification shall be check-sampled by official seed samplers. That proportion shall in principle be as evenly spread as possibly over natural and legal persons entering seed for certification, but may also be orientated to eliminate specific doubt. That

proportion shall be at least five per cent. Check sampling shall not apply to seed lots that have been sampled by automatic samplers.

4. Seed analysis

4.1 *Authorised laboratories*

- 4.1.1 Seed testing shall be carried out by seed testing laboratories which have been authorised for that purpose by the National Designated Authority under the conditions set out in sections 4.1.2 to 4.1.5.
- 4.1.2 The laboratory shall be maintained in premises and with equipment officially considered by the National Designated Authority to be satisfactory for the purpose of seed testing, within the scope of the authorisation.
- 4.1.3 The laboratory shall have a seed analyst-in-charge who has direct responsibility for the technical operations of the laboratory and has the necessary qualifications for technical management of a seed testing laboratory. Its seed analysts shall have the necessary technical qualifications obtained in training courses organised under conditions applicable to official seed analysts and confirmed by official examinations.
- 4.1.4 The laboratory shall carry out seed testing in accordance with current international methods recognised by the National Designated Authority.
- 4.1.5 The laboratory shall be:
 - a) an independent laboratory, or
 - b) a laboratory belonging to a seed company.

In the case referred to in point (b), the laboratory may carry out seed testing only on seed lots produced on behalf of the seed company to which it belongs, unless it has been otherwise agreed between the seed company, the applicant for certification and the National Designated Authority.

4.2 *Official supervision*

- 4.2.1 The laboratory's performance of seed testing shall be subject to proper supervision by the National Designated Authority. Supervision shall include check-analysis and regular audits of expertise, implementation, processing of results and response to non-conformities.
- 4.2.2 A proportion of the seed lots entered for the official certification shall be check-tested by official seed testing. That proportion shall in principle be as evenly spread as possible over natural and legal persons entering seed for certification but may also be altered to eliminate specific doubts. That proportion shall be at least five per cent.
- 4.2.3 The National Designated Authority shall compare the results of seed samples tested officially with those of the same seed lot tested under official supervision. The comparison shall include at least analytical purity and germination test results.

Common Appendix 6

Procedure for the Extension of the Scheme to Include, for the Purposes of Field Inspection, Varieties under Examination for Registration on a National List

1. With regard to a variety being examined for admission to a national list, the National Designated Authority of the country of seed multiplication may undertake field inspection under the following conditions:
 - a) At the express request of the breeder of the variety, when multiplication takes place in the examining country, and
 - b) Following a request for assistance from the National Designated Authority of the examining country when multiplication takes place outside that country.

When multiplication takes place in the examining country [case 1(a) above], the field inspection shall be conducted by the National Designated Authority on the same basis as for registered varieties. The Authority shall verify the varietal identity of the Pre-basic or Basic seed used for multiplication; varietal purity shall be verified during the field inspection using the technical specifications available; final certification shall be given, where appropriate, once the variety has been registered on the national list.

When multiplication takes place outside the examining country [case 1(b) above], the rules set out in paragraphs 2 to 6 shall apply.

2. The request for assistance shall be confined to field inspection with a view to verifying compliance with the rules on seed production, as required under the OECD Schemes.
3. Responsibility for verifying the varietal identity of Pre-basic or Basic seed used for multiplication shall lie with the National Designated Authority of the country in which the tests for distinctness, uniformity and stability of the variety are conducted.
4. During field inspections, varietal purity shall be verified using a provisional description of the variety issued from the tests for distinctness, uniformity and stability, provided by the National Designated Authority of the examining country.
5. Final certification shall be given under the responsibility of the examining country once the variety has been registered on its national list.
6. On the decision of the National Designated Authority of the examining country, in agreement with the maintainer, the seed produced in the country of multiplication shall be either:
 - Sent to the examining country for the purpose of final certification. In this case the seed shall be given a grey label in compliance with the OECD Rules, indicating the provisional denomination of that variety and bearing the statement “Not Finally Certified Seed - Variety Still Under Registration Testing”; or
 - Finally certified by the National Designated Authority of the country of multiplication once the variety has been registered, in compliance with OECD Rules, the official name being that expressly indicated by the National Designated Authority of the registering country.
7. In the case of hybrid varieties the conditions in paragraphs 1 to 6 also apply to their parental components.

