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List of plant species for which protected variety seed and propagating material can be grown on a small scale

Adopted on 24.03.2006 No. 37

The Regulation is established on the basis of § 36 (4) of the " Plant Propagation and Variety Protection Act ".

§ 1. Scope of regulation

The decree establishes a list of those plant species whose seed and propagating material of the protected variety, with the exception of seed and propagating material of the hybrid variety and synthetic variety, may be grown by an entrepreneur on a small scale to obtain an agricultural product and for this purpose be produced for use in his company without concluding a license agreement and paying a license fee.

§ 2. List of species

(1) Seed of the protected variety of the following fodder crop species may be produced on a small scale:

- 1) *Cicer arietinum* L. – chickpea;
- 2) *Lupinus luteus* L. – yellow lupine;
- 3) *Medicago sativa* L. – common alfalfa;
- 4) *Pisum sativum* L. (partim) – field pea;
- 5) *Vicia faba* L. (partim) – field bean;
- 6) *Vicia sativa* L. – summer vetch.

(2) Seed of the protected variety of the following species of oil and fiber crops can be produced on a small scale:

- 1) *Brassica napus* L. (partim) – rapeseed;
- 2) *Brassica rapa* L. var. *silvestris* (Lam.) Briggs - rape;
- 3) *Linum usitatissimum* L. – common flax.

(3) Seed of the protected variety of the following cereal species may be produced on a small scale:

- 1) *Avena sativa* L. – common oats;
- 2) *Hordeum vulgare* L. – common barley;
- 3) *Secale cereale* L. – common rye;
- 4) x *Triticosecale* Wittm. – triticale;
- 5) *Triticum aestivum* L. emend. Fiori et Paol. – common wheat.

(4) Propagation material of a protected variety of potato (*Solanum tuberosum* L.) may be produced on a small scale.

§ 3. Revocation of the regulation

Clause 4 of Regulation No. 37 of November 16, 1998 of the Minister of Agriculture «Approval of legislation provided for in the Plant Variety Protection Act» (RTL 1998, 353, 1482; 2000, 50, 748) is declared invalid.

Minister Ester TUIKSOO

Chancellor Ants NOOT