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Categories of fodder seed and requirements for the production and marketing of fodder seed¹

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Amended by the following acts

Reception	Disclosure	Enforcement
14.09.2006	RTL 2006, 70, 1286	23.09.2006
13.03.2007	RTL 2007, 24, 429	25.03.2007, partially 1.05.2007
01.11.2007	RTL 2007, 85, 1431	17.11.2007
28.05.2008	RTL 2008, 46, 639	09.06.2008, amendment to point 1 of Annex 1 is applied retroactively from January 2, 2008
07.10.2008	RTL 2008, 84, 1167	19.10.2008
05.03.2009	RTL 2009, 25, 323	20.03.2009
08.12.2009	RTL 2009, 93, 1348	01.01.2010
10.03.2010	RTL 2010, 12, 222	22.03.2010
06.05.2010	RTL 2010, 25, 439	22.05.2010
21.03.2011	RT I, 30.03.2011, 4	02.04.2011
11.04.2011	RT I, 19.04.2011, 2	22.04.2011
19.12.2011	RT I, 27.12.2011, 1	30.12.2011, partially 1.01.2012
08.02.2012	RT I, 10.02.2012, 13	13.02.2012
12.06.2014	RT I, 18.06.2014, 1	01.07.2014
19.06.2014	RT I, 28.06.2014, 18	01.07.2014
23.02.2017	RT I, 07.03.2017, 1	01.04.2017
29.06.2017	RT I, 11.07.2017, 1	01.01.2018
25.01.2018	RT I, 27.01.2018, 1	01.02.2018, partially 01.01.2019
20.03.2019	RT I, 26.03.2019, 1	01.04.2019
13/05/2020	RT I, 20.05.2020, 3	01.06.2020, partially 01.07.2020
29.06.2020	RT I, 03.07.2020, 7	06.07.2020
26.10.2020	RT I, 04.11.2020, 1	01.01.2021; in the regulation, the word "Agricultural Board" is replaced by the words "Agricultural and Food Board" in the corresponding case.
19.02.2021	RT I, 02.03.2021, 2	03/05/2021
25.10.2021	RT I, 29.10.2021, 1	01.02.2022
06.12.2021	RT I, 16.12.2021, 1	01.01.2022
25/07/2022	RT I, 27.07.2022, 1	31.08.2022
13/05/2024	RT I, 17.05.2024, 3	20/05/2024

The Regulation is established in § 3 subsection 3, § 6¹ subsection 4, § 6² subsection 6, § 65 subsections 4 and 7, § 72 subsection 5, § 73 subsections 8 and 9, § 74 subsection 5 of the "Plant Propagation and Variety Protection Act". § 75 subsections 2 and 4, § 76 subsection 4, § 96 subsection 2, § 101 subsection 4, on the basis of § 104 subsection 4, § 105 subsection 5 and § 117 subsection 5. [RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

Chapter 1 GENERAL PROVISIONS

§ 1. Scope of regulation

(1) The decree establishes the seed categories and quality requirements of fodder crop seed and the variety intended for the preservation of genetic resources (hereinafter *the conservation variety*), requirements for the production of seed and preservation mixture, sample sizes and requirements for determining the adequacy of the seed, the procedure and requirements for seed certification, the list of certified species, the certificate certifying the certification of fodder crop seed document content requirements and document validity period, other seed quality requirements, requirements for forage crop seed packaging, forage crop seed packaging and sales package sealing requirements and forage crop seed sales package labeling requirements, procedure for issuing documents certifying certification or inspection and requirements for the content and form of labels, seed marketing requirements,

requirements for the label and accompanying documents of a seed batch of forage crops that are not fully certified, organic heterogeneous seed production of forage crops and marketing requirements and national supervision requirements for frequency and extent of execution.

[RT I, 16.12.2021, 1 - enters into force. 01.01.2022]

(2) The regulation establishes the requirements for the production of such seed, which is intended to be used for the cultivation of forage crop plants to obtain an agricultural product, except for cultivation for decorative purposes, or for the production of seed.

[RT I, 30.03.2011, 4 - enters into force. 02.04.2011]

Chapter 2 LIST OF FORAGE CROPS SPECIES AND FORAGE CROP SEED CATEGORIES

§ 2. List of species of fodder crops

(1) The requirements of the regulation apply to the following types of forage grasses:

- 1) marsh dew grass (*Agrostis canina* L.);
- 2) common dew grass (*Agrostis capillaris* L.);
- 3) large dew grass (*Agrostis gigantea* Roth) (hereinafter *Agrostis gigantea*);
- 4) loop foxtail (*Alopecurus pratensis* L.);
- 5) white dew grass (*Agrostis stolonifera* L.);
- 6) tall ryegrass (*Arrhenatherum elatius* (L.) P. Beauv. ex J. Presl & C. Presl) (hereinafter *Arrhenatherum elatius*);
- 7) Bromus *catharticus* Vahl;
- 8) Alaskan bramble (*Bromus sitchensis* Trin.);
- 9) common foxglove (*Cynodon dactylon* (L.) Pers.) (hereinafter *Cynodon dactylon*);
- 10) common ball grass (*Dactylis glomerata* L.);
- 11) fescue (*Festuca arundinacea* Schreber) (hereinafter *Festuca arundinacea*);
- 12) thread fescue (narrow-leaved fescue) (*Festuca filiformis* Pourr.) (hereinafter *Festuca filiformis*);
- 13) sheep fescue (*Festuca ovina* L.);
- 14) common fescue (*Festuca pratensis* Huds.) (hereinafter *Festuca pratensis*);
- 15) red fescue (*Festuca rubra* L.);
- 16) fescue (*Festuca trachyphylla* (Hack.) Hack.) (hereinafter *Festuca trachyphylla*);

[RT I, 29.10.2021, 1 - enters into force. 01.02.2022]

17) heather, a hybrid obtained by crossing a species belonging to the genus *Festuca* and a species belonging to the genus *Lolium* (*xFestulolium* Asch. & Graebn.) (hereinafter *xFestulolium*);

- 18) Italian ryegrass, also annual ryegrass (*Lolium multiflorum* Lam.) (hereinafter *Lolium multiflorum*);
- 19) pasture ryegrass (*Lolium perenne* L.);
- 20) field ryegrass (*Lolium x hybridum* Hausskn);

[RT I, 11.07.2017, 1 - enters into force. 01.01.2018]

- 21) Phalaris *aquatica* L.);
- 22) *phleum nodosum* L.);
- 23) *phleum pratense* L. (hereinafter *Phleum pratense*);
- 24) lawn grass (*Poa annua* L.);
- 25) meadow grass (*Poa nemoralis* L.);
- 26) marsh grass (*Poa palustris* L.);
- 27) *Poa pratensis* L.);
- 28) common meadowsweet (*Poa trivialis* L.);
- 29) looped oat (*Trisetum flavescens* (L.) P. Beauv.) (hereinafter *Trisetum flavescens*).

[RT I, 30.03.2011, 4 - enters into force. 02.04.2011]

(2) The requirements of the regulation apply to the following types of leguminous fodder crops:

- 1) Eastern goat pea (*Galega orientalis* Lam.);
- 2) crown-sweet clover (*Hedysarum coronarium* L.);
- 3) common witch's tooth (*Lotus corniculatus* L.);
- 4) white lupine (*Lupinus albus* L.);
- 5) narrow-leaved lupine (*Lupinus angustifolius* L.);
- 6) yellow lupine (*Lupinus luteus* L.);
- 7) hop sorghum (*Medicago lupulina* L.);
- 8) common alfalfa (*Medicago sativa* L.);
- 9) hybrid lucerne (*Medicago x varia* T. Martyn) (hereinafter *Medicago x varia*);
- 10) common asparagus (*Onobrychis viciifolia* Scop.) (hereinafter *Onobrychis viciifolia*);
- 11) field pea (*Pisum sativum* L. (partim));
- 12) Alexandrian clover (*Trifolium alexandrinum* L.);
- 13) pink clover (*Trifolium hybridum* L.);
- 14) scarlet clover (*Trifolium incarnatum* L.);
- 15) red clover (*Trifolium pratense* L.);
- 16) white clover (*Trifolium repens* L.);
- 17) Persian clover (*Trifolium resupinatum* L.);
- 18) field fenugreek (*Trigonella foenum-graecum* L.);
- 19) field bean (*Vicia faba* L. (partim));
- 20) Hungarian mouse pea (*Vicia pannonica* Crantz) (hereinafter *Vicia pannonica*);
- 21) summer vetch (*Vicia sativa* L.);
- 22) field mouse pea (*Vicia villosa* Roth).

[RT I, 30.03.2011, 4 - enters into force. 02.04.2011]

(3) The requirements of the regulation apply to the following other fodder crop species:

- 1) fodder turnip (*Brassica napus* L. var. *napobrassica* (L.) Rchb.) (hereinafter *Brassica napus* var. *napobrassica*);
 - 2) fodder cabbage (*Brassica oleracea* L. convar. *acephala* (DC.) Alef. var. *Medullosa* Thell. + var. *viridis* L.) (hereinafter *Brassica oleracea* L. convar. *acephala*);
 - 3) common whorl (*Phacelia tanacetifolia* Benth.) (hereinafter *Phacelia tanacetifolia*);
 - 4) oil radish (*Raphanus sativus* L. var. *oleiformis* Pers.) (hereinafter *Raphanus sativus* var. *oleiformis*).
- [RT I, 30.03.2011, 4 - enters into force. 02.04.2011]

(4) In addition to the species mentioned in subsections 1–3, the requirements of the regulation also apply in Estonia to the following species of fodder crops:

[RT I, 27.01.2018, 1 - entry into force. 01.02.2018]

- 1) harmless bramble (*Bromus inermis* Leyss.);
- 2) dewdrop (*Deschampsia caespitosa* (L.) P. Beauv.);
- 3) slender fescue (*Koeleria macrantha* (Ledeb.) Schult.);
- 4) white honeybee (*Melilotus alba* L.);
- 5) *Phalaris arundinacea* L.

[RT I, 30.03.2011, 4 - enters into force. 02.04.2011]

§ 3. Forage seed categories and their designations

(1) A seed of the super elite seed category with the designation SE is a seed that:

- 1) is produced under the responsibility of the owner or preserver of the variety and according to the methods prescribed for the preservation of the variety;
- 2) is intended for the production of elite seed or for the production of seed of the category of certified seed or, if necessary, of the category of certified seed of the first or second generation, based on the written request of the owner, representative or keeper of the variety;
- 3) meets the field recognition and quality requirements established for super elite seed;
- 4) is certified.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

(2) A local variety super elite seed category seed marked SE is a seed that:

- 1) is produced from source material recognized as a local variety and originating from a specified region under the supervision of the Agriculture and Food Board;

[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

- 2) is intended for the production of elite seed or, at the written request of the owner, representative or keeper of the variety, for the production of seed of the certified seed category or, if necessary, of the first or second generation certified seed category;
- 3) meets the field recognition and quality requirements established for super elite seed;
- 4) is certified.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

(3) A seed of the elite seed category with the designation E is a seed that:

- 1) is produced from super elite seed or from the seed of the generation preceding the super elite seed under the responsibility of the variety owner or preserver and according to the methods prescribed for the preservation of the variety;
- 2) is intended for the production of certified seed or certified seed of the first or second generation;
- 3) meets the field recognition and quality requirements established for elite seed;
- 4) is certified.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

(4) A local variety elite seed category seed marked E is a seed that:

- 1) is produced from a local variety super elite seed or source material recognized as a local variety and originating from a specified area under the supervision of the Agriculture and Food Board;

[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

- 2) is intended for the production of certified or certified seed of the first or second generation;
- 3) meets the field recognition and quality requirements established for elite seed;
- 4) is certified.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

(5) The certified seed category seed with the designation C is of the species specified in § 2 of the regulation, with the exception of lupine (*Lupinus* spp.), field pea (*Pisum sativum* L. (partim)) (hereinafter *Pisum sativum*), mouse pea (*Vicia* spp.) and common alfalfa (*Medicago sativa* L.) seed which:

- 1) is produced from elite seed or, at the written request of the owner, representative or keeper of the variety, from super elite seed that meets to the field recognition and quality requirements established for superelite seed;
- 2) is intended for use as sowing seed for a purpose other than the production of seed intended for marketing;
- 3) meets the field recognition and quality requirements established for certified seed;
- 4) is certified.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

(6) Certified seed category first generation seed with designation C1 is lupine (*Lupinus* spp.), field pea (*Pisum sativum*), mouse pea (*Vicia* spp.) and common alfalfa (*Medicago sativa* L.) seed, which:

- 1) is produced from elite seed or at the written request of the owner, representative or custodian of the variety from a super-elite seed that meets the field recognition and quality requirements established for super-elite seed;
- 2) is intended for the production of certified seed of the second generation or for use as sowing seed for a purpose other than the production of seed for marketing purposes;
- 3) meets the field recognition and quality requirements established for certified seed;

4) is certified.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

(7) Certified seed category second generation seed designated C2 is lupine (*Lupinus* spp.), field pea (*Pisum sativum*), mouse pea (*Vicia* spp.) and common alfalfa (*Medicago sativa* L.) seed, which:

- 1) is produced from elite seed , from certified seed of the first generation or, at the written request of the owner, representative or custodian of the variety, from super-elite seed that meets the field recognition and quality established for super-elite seed requirements;
- 2) is intended for use as sowing seed for a purpose other than the production of seed intended for marketing;
- 3) meets the field recognition and quality requirements established for certified seed;
- 4) is certified.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

(8) TS with the designation of commercial seed can be common saffron (*Onobrychis viciifolia* Scop.), common foxglove (*Cynodon dactylon* (L.) Pers.), crown sweet clover (*Hedysarum coronarium* L.), tuber sedge (*Phalaris aquatica* L.), grass fescue (*Poa annua* L.), fenugreek (*Trigonella foenum-graecum* L.) and Hungarian mouse pea (*Vicia pannonica* Crantz) seed which:

- 1) is genuine and pure;
- 2) meets the requirements established for commercial seed;
- 3) has been checked.

(9) The seed of the storage variety marked GR is the seed of the fodder crop species specified in § 2, which:

- 1) is true to variety and pure;
- 2) has been produced in accordance with recognized practices for the preservation of the variety;
- 3) is intended for use as sowing seed for a purpose other than the production of seed intended for marketing;
- 4) meets the requirements established for the seed of the storage variety;
- 5) is certified by the manufacturer.

[RTL 2010, 12, 222 - entry into force. 22.03.2010]

Chapter 3 FORAGE CROP SEED PRODUCTION AND CERTIFICATION REQUIREMENTS

§ 4. Forage crop seed quality requirements

(1) Quality requirements for forage crop seed are established in Appendix 1.

[RTL 2010, 12, 222 - entry into force. 22.03.2010]

1

(1) The seed batch must be free of Commission Implementing Regulation (EU) 2019/2072, which establishes uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and of the Council regarding protection measures against plant pests and repeals Commission Regulation (EC) No. 690/2008 and amends Commission Implementing Regulation (EU) 2018/2019 (OJ L 319, 10.12.2019, pp. 1–279), of the dangerous plant pests mentioned in Annex II.

[RT I, 20.05.2020, 3 - enters into force. 01.06.2020]

2

(1) The batch of super elite and elite seed and certified seed of common alfalfa (*Medicago sativa* L.) must be free from the stem borer *Ditylenchus dipsaci* (Kuehn) Filipjev and the bacterium *Clavibacter michiganensis* ssp., which causes bacterial wilt of alfalfa. *Insidiosus* (McColloch 1925) Davis et al.

[RT I, 20.05.2020, 3 - enters into force. 01.06.2020]

(2) The seed of the storage variety must meet the quality requirements of the certified seed category.

[RTL 2010, 12, 222 - entry into force. 22.03.2010]

(3) On the basis of § 32 of the "Plant Propagation and Variety Protection Act", the seed of a fodder crop species, with the exception of field pea (*Pisum sativum*) and field bean (*Vicia faba*), marketed for production testing must meet the quality requirements established for certified seed and field pea (*Pisum sativum*) and field bean (*Vicia faba faba*) seed must meet the quality requirements established for second generation certified seed.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

1

§ 4 . Quality requirements for the preservative mixture and ingredients

(1) The germination of the seeds of the plant species and plant subspecies in the preservation mixture obtained by direct harvesting must be sufficient to ensure the community of plant species characteristic of the growth site type of the collection site when they are sown.

(2) The seed content of the plant species and plant subspecies in the preservation mixture obtained by direct harvesting, which are not important for the preservation of the natural environment as an ingredient of the preservation mixture, may be up to 1 percent by mass.

(3) The storage mixture obtained by direct harvesting does not contain seeds of wind oat (*Avena fatua*), barren oat (*Avena sterilis*) and wormwood (*Cuscuta* spp.) and sedge (*Rumex* spp.) species, with the exception of small sedge (*Rumex acetosella*) and sea buckthorn (*Rumex maritimus*) species whose seed content can be up to 0.05% by weight.

(4) Before forming the mixture, the seeds of the plant species listed in § 2 in the composition of the preservation mixture for cultivated plant crops must meet the requirements for commercial seed set forth in point 3 of Appendix 1.

[RT I, 10.02.2012, 13 - enters into force. 13.02.2012]

§ 5. Production requirements

(1) In the case of production of super-elite, elite seed and certified seed of fodder crops, at the same growing site, at least two years must have passed since the cultivation of another variety of the same species or seed of a lower category of the same variety or non-varietal seed in the case of grassy grasses, field peas and field beans, and at least three years in the case of leguminous grasses .

(2) In the case of seed production of perennial grasses and leguminous grasses, seed of the corresponding category and each subsequent category may be produced consecutively for up to three years from the same plant in consecutive harvest years.

(3) In the case of the production of fodder crop seed, mixing of the produced seed with seed from a neighboring seed field must be avoided in any way.

[RTL 2006, 70, 1286 - entry into force. 23.09.2006]

(4) In the production of fodder crop seed, the measures to prevent the occurrence of quality-reducing plant pests specified in Part A of Annex V of the Implementing Regulation (EU) 2019/2072 of the European Parliament and of the Council shall be implemented.

[RT I, 20.05.2020, 3 - enters into force. 01.06.2020]

§ 6. Commercial seed production

(1) The species authenticity and purity of commercial seed is checked by the owner, representative or keeper of the variety.

(2) The owner, representative or custodian of the variety submits an application to the Agriculture and Food Board in order to check compliance with the quality requirements of commercial seed established in Appendix 1 and to obtain a commercial seed label.

[RTL 2009, 93, 1348 - entry into force. 01.01.2010]

1

§ 6 . Production of a preservation mixture obtained by direct harvesting

(1) The preservation mixture obtained by direct harvesting is collected from the collection point of the source region, where the seed has not been sown within 40 years before the date of submitting the application for the permit to market the preservation mixture. The origin area is located in the origin area of the preservation mixture.

(2) The proportion of seeds of the plant species and plant subspecies characteristic of the habitat type of the collection site, which are important for the preservation of the natural environment in the context of the preservation of genetic resources as a component of the mixture in the composition of the conservation mixture obtained by direct harvesting, must be sufficient to ensure the community of plant species characteristic of the habitat type of the collection site when they are sown.

[RT I, 10.02.2012, 13 - enters into force. 13.02.2012]

2

§ 6 . Production of preservation mixture for cultivated plant crops

(1) In the case of the preservation mixture of cultivated plant crops, the seed is collected from the collection point of the source area, where the seed has not been sown within 40 years before the date of submission of the application for the marketing permit of the preservation mixture. The origin area is located in the origin area of the preservation mixture.

(2) The seeds of the preservation mixture of cultivated plant cultures are the seeds of those plant species and plant subspecies, which are characteristic of the type of growth site of the collection site and, as an ingredient of the preservation mixture, are important for the preservation of the natural environment in the context of the preservation of genetic resources.

(3) Seeds that are part of the preservation mixture of cultivated plant cultures are permitted to be propagated for five generations for the production of the preservation mixture.

[RT I, 10.02.2012, 13 - enters into force. 13.02.2012]

§ 7. Distance requirements

(1) In the case of seed production of fodder crops, the plants must be protected from foreign pollination.

(2) In order to protect plants from foreign pollination, the seed field must be separated from fields with plants that allow foreign pollination either by a sufficient distance or, in the case specified in this section, in another way that ensures sufficient protection.

(3) In the case of growing a cross-pollinated fodder crop, the smallest distance between a seed field of another variety of the same species or a field of plants that do not meet the varietal purity requirements of the seed of the same variety or a seed field that may cause unwanted pollination of a related species is as follows:

Agricultural culture	Distance (m)
Cruciferous (<i>Brassica</i> spp.), common sedge (<i>Phacelia tanacetifolia</i>):	
– in the case of elite seed production	400
– in the case of certified seed production	200
Species or varieties, apomictic subspecies of cruciferous vegetables (<i>Brassica</i> spp.), common sedge (<i>Phacelia tanacetifolia</i>), field pea (<i>Pisum sativum</i>), sedge grass (<i>Poa pratensis</i>):	
– for the production of seed intended for propagation in a field with an area of up to 2 ha	200
– for the production of seed intended for propagation in a field with an area of more than 2 ha	100
in the case of production of seed of the last category in a field with an area of up to 2 ha	100
in the case of production of seed of the last category in a field with an area of more than 2 ha	50

[RTL 2006, 70, 1286 - entry into force. 23.09.2006]

(4) The distance requirement set forth in subsection 3 does not apply if the seed field is sufficiently protected against foreign pollination.

[RTL 2006, 70, 1286 - entry into force. 23.09.2006]

§ 8. Certification procedure

(1) The Agriculture and Food Board certifies forage crop seed in accordance with international requirements. For the certification of forage crop seed, field recognition is performed depending on the plant species, and sample analysis and follow-up field tests are organized.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

(2) The owner, representative or keeper of the variety shall submit an application for the certification of forage crop seed to the Agriculture and Food Board by May 31.

[RT I, 02.03.2021, 2 - enters into force. 05.03.2021]

(3) Field certification is performed by the Agriculture and Food Board or, in the case of a certified seed category, by a field certification operator with a field certification license.

[RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

(4) In the case of production of certified seed of fodder crops, the plant must be field certified at least once during the growing season.

¹ (4) ¹ Grassy fodder crops can be made into a seed lot with the weight specified in § 11 subsection 3, if the packager submits to the Agriculture and Food Board a certificate from an ISTA accredited laboratory that he is able to produce seed lots of this size and uniform quality.

[RT I, 20.12.2013, 1 - enters into force. 31.12.2013]

(5) Regarding the batch of fodder crop seed that meets the certification requirements, the Agriculture and Food Board makes a certification decision, taking into account the results of field testing, laboratory analysis and follow-up field tests, and issues appropriate labels or determines the number of labels allowed to be printed.

[RT I, 27.01.2018, 1 - enters into force. 01.01.2019]

(6) For the seed batch that meets the quality requirements of commercial fodder crops, the Agriculture and Food Board issues the appropriate labels, taking into account the results of the laboratory analysis, or determines the number of labels allowed to be printed.

[RTL 2009, 93, 1348 - entry into force. 01.01.2010]

§ 8 . Procedure for certification of conservation variety seed

(1) The producer certifies the seed of the storage variety in accordance with international requirements. In order to ensure the correctness of the certification of the seed of the storage variety, the producer organizes field recognition of the seed of the storage variety and sampling and its analysis.

[RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

(2) Field approval for a conservation variety is carried out by the Agriculture and Food Board or a field approval operator or producer with a field approval license, following the established requirements for field approval.

[RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

(3) The Agricultural and Food Board or a seed sampler with a seed sampling license (hereinafter *seed sampler with a license*) takes a sample from the batch of seed of the storage variety to be certified.

[RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

(4) The batch of seed of the storage variety that meets the certification requirements is marked and sealed properly by the authorized seed sampler or producer, taking into account the results of field recognition and laboratory analysis.

[RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

§ 9. Seed field requirements

(1) Field certification is carried out at such a stage of plant development that allows adequate assessment of plant species authenticity and purity, varietal purity and purity, and the spread of plant pests that reduce seed quality.

(2) [Repealed - RT I, 17.05.2024, 3 - entered into force. 20.05.2024]

(3) Plant pests can be present in the seed field as little as possible. When assessing the spread of plant pests that reduce seed quality, the presence of the plant pest in the seed field is checked visually.

¹ (3) ¹ The seed field, on which the super-elite and elite seed or certified seed of common alfalfa (*Medicago sativa* L.) is produced, must not contain the stem borer *Ditylenchus dipsaci* (Kuehn) Filipjev or the bacterium *Clavibacter michiganensis* ssp. , which causes bacterial wilt of alfalfa . *Insidiosus* (McColloch 1925) Davis et al.

[RT I, 20.05.2020, 3 - enters into force. 01.06.2020]

(4) The seed field must not contain plants from the previous crop, the seeds of which are difficult to separate from the seed of the growing species and variety during a laboratory test, as well as weed plants or plants of other species to an extent that may affect the species purity and purity of the growing plant and the purity and purity of the variety or to a degree that prevents field recognition.

(5) Fodder crop species, except field pea (*Pisum sativum*), field bean (*Vicia faba* L. (partim) (hereinafter *Vicia faba*)), fodder turnip (*Brassica napus* var. *napobrassica*), fodder cabbage (*Brassica oleracea* L. convar. *acephala*) or non-pure plants may occur in the field of *poa pratensis* L. seeds as follows:

m²

1) super-elite or in the case of elite seed production, one plant per 30

m²

; 2) in the case of certified seed production, 1 plant per 10

(6) In the case of growing sedge grass (*Poa pratensis* L.), non-varietal plants may be present in the seed field as follows:

2

1) in the case of super elite or elite seed production, one plant per 20 m

m²

; 2) in the case of certified seed production, four plants per 10

(7) In the case of sedge grass (*Poa pratensis* L.), the seed of a variety classified as an "apomictic subspecies" can be considered to meet the requirements set out in subsection 6 applicable to the production of certified seed, if up to six non-varietal plants are present

2.

per 10 m

(8) The field of field pea (*Pisum sativum*), field bean (*Vicia faba*), fodder turnip (*Brassica napus* var. *napobrassica*) and fodder cabbage (*Brassica oleracea* L. convar. *acephala*) must be sufficiently pure and pure.

[RTL 2009, 25, 323 - entry into force. 20.03.2009]

(9) Plants of another ryegrass (*Lolium*) or ryegrass (*x Festulolium*) species may be present in the seed field of ryegrass (*Lolium*) and common ryegrass (*x Festulolium*) as follows:

m²

1) in the case of superelite or elite seed production, one plant per 50

m²

; 2) in the case of certified seed production, one plant per 10

[RTL 2006, 70, 1286 - entry into force. 23.09.2006]

§ 10. Requirements for varietal purity and purity and species purity and purity

(1) The seed to be certified must be sufficiently varietal and pure. Varietal purity is checked during field recognition.

(2) When checking the authenticity of the variety, the field appraiser compares the external characteristics of the growing plants with the description of the variety. In the case of a (local) variety found in nature and identified, the variety description must include a reference to the variety's region of origin.

1

(2) Biochemical and molecular methods can be used to check the authenticity of the seed.

[RT I, 27.07.2022, 1 - enters into force. 31.08.2022]

(3) The minimum varietal purity of the super-elite and elite seed of sedge (*Poa pratensis* L.), field pea (*Pisum sativum*), field bean (*Vicia faba*), fodder turnip (*Brassica napus* var. *napobrassica*) and fodder cabbage (*Brassica oleracea* L. convar. *acephala*) must be 99.7%.

(4) The varietal purity of the certified seed of sedge grass (*Poa pratensis* L.), fodder turnip (*Brassica napus* var. *napobrassica*) and fodder cabbage (*Brassica oleracea* convar. *Acephala*) must be 98%.

(5) The minimum varietal purity of field pea (*Pisum sativum*) and field bean (*Vicia faba*) certified seed must be as follows:

1) 99% in the case of first generation certified seed production;

2) 98% in the case of second generation certified seed production.

(6) The minimum varietal purity of the seed of the storage variety must be 90%.

[RTL 2010, 12, 222 - entry into force. 22.03.2010]

§ 11. Sampling and sample size

(1) The Agriculture and Food Board or a seed sampler with an activity license takes a seed sample from a seed batch that has been conditioned for sale according to the internationally established methodology for determining the quality of the seed of fodder crops and closes the sales package or container of the seed lot to be certified with a security sticker or seal of the Agriculture and Food Board or a seed sampler with an activity license. The owner of the seed lot ensures access to the package or container for methodical sampling.

[RT I, 20.05.2020, 3 - enters into force. 01.07.2020]

1

(1) Taking a seed sample from a seed lot to be certified with an automatic sampling device is carried out under the supervision of the Agriculture and Food Board. The automatic sampling device must be recognized as appropriate by a laboratory accredited by the International Seed Inspection Association (hereinafter *ISTA*).

[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

(2) The seed batch to be certified must be of uniform quality and separated from other batches and properly marked.

(3) The maximum permitted weight of the seed lot and the size of the sample to be taken are established in Appendix 3. The maximum weight of the seed lot may be up to 5% greater than the permitted amount.

1

(3) The maximum weight of the seed batch of grassy fodder crops may be greater than the maximum permitted weight established

1

in subsection 3, but not greater than 25 tons, if the certificate referred to in § 8 subsection 4 has been submitted. The maximum weight of the seed lot can be up to 5% more than allowed.

[RT I, 20.12.2013, 1 - enters into force. 31.12.2013]

(4) [Repealed - RTL 2007, 24, 429 - entry into force. 25.03.2007]

§ 12. Plant pests reduce the quality of fodder crop seed

Plant pests that reduce the quality of forage crops can be present in the field as little as possible.

[RT I, 30.03.2011, 4 - enters into force. 02.04.2011]

§ 13. Requirements for the seed of forage crops to be certified

(1) The seed of fodder crops is certified, which is true to species and variety and pure of species and variety, has passed follow-up tests and meets the requirements of quality, including lineage and plant health.

(2) The Agriculture and Food Board or a licensed seed sampler closes the appropriate seed lot with a security sticker or seal in the sales package or container.

[RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

(3) An uncertified batch of seed produced in another Member State or a country recognized as equivalent shall be certified if the seed:

1) is directly descended from elite seed produced in another Member State or in the country specified in § 109 subsection 1 of the "Plant Propagation and Variety Protection Act" or from certified seed of the first category;

2) has been harvested in the country of production;

3) during the field certification conducted in the producer country, it has been recognized as complying with the requirements established for the seed of this category, and the package is labeled and the batch is equipped with the appropriate label or manufacturer's document;

4) meets the quality requirements established for this category.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

(4) Super-elite or elite seed that does not meet the germination requirements may be certified. The Agriculture and Food Board marks the words "Does not meet germination requirements" on the label.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

Chapter 4 SEED PACKAGING OF FORAGE CROPS

§ 14. Packaging requirements

(1) The closing point of the sales package of the super-elite, elite and certified seed and commercial seed of fodder crops, with the exception of the EU B small package of certified seed and commercial seed and the single-sealable package, must be sealed with the seal or security sticker of the Agriculture and Food Board or a licensed seed sampler, or the sales package must be at the point of closure with a label sewn through. The closing point of the sales package of the storage variety seed and storage mixture is sealed by the manufacturer. The sales package must be closed in such a way that it cannot be opened without damaging the seal (seal, security sticker), label or package.

[RT I, 20.05.2020, 3 - enters into force. 01.07.2020]

(2) [Repealed - RT I, 30.03.2011, 4 - entered into force. 02.04.2011]

(3) The sales package of packaged and labeled seed may be opened and resealed only under the supervision of the Agriculture and Food Board, if the seed in such a sales package is intended to be marketed after resealing. In this case, the date of resealing the package and the words "Agricultural and Food Administration" must be indicated on the label.

[RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

(4) The packer keeps records of the use and maintenance of the automatic sampling device and documents and stores the following data:

1) serial number of the sample container;

2) date and time of automatic sampling device setup;

3) plant species from which the seed lot was sampled, variety, lot number and lot size;

4) the size of the combined sample;

5) the date of maintenance of the automatic sampling device and the work performed.

[RTL 2009, 25, 323 - entry into force. 20.03.2009]

(5) The packer keeps records of label printing, keeping one printed label for each batch and all printed unused or damaged labels, and documents and stores the following data on label printing:

1) label printing date;

2) plant species, variety, category;

3) lot number and lot size;

4) number of printed labels, printed label number or range, number of used labels.

[RT I, 20.12.2013, 1 - enters into force. 31.12.2013]

§ 15. Packaging permit

[Invalid - RT I, 18.06.2014, 1 - entry into force. 01.07.2014]

§ 16. Marking

(1) The appropriate label is affixed under the supervision of the Agriculture and Food Board to the outside of the sales package of the seed, except for the EU B small package of the categories specified in § 3 subsections 5-8, in such a way that the label is legible. A self-adhesive label can be used. The packager affixes the manufacturer's label to the outside of the commercial seed package.

[RT I, 20.12.2013, 1 - enters into force. 31.12.2013]

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(1) In Commission Implementing Regulation (EU) 2017/2313, which sets out the requirements for the plant passport form necessary for transport in the territory of the Union and for introduction into and transport in the protected area (OJ L 331, 14.12.2017, pp. 44–52), the data of the specified plant passport are entered in plain on the label of the sales package of alfalfa (*Medicago sativa* L.)

seed.

[RT I, 03.07.2020, 7 - enters into force. 07/06/2020]

2 1

(1) Paragraph 1 does not apply to Regulation (EU) 2016/2031 of the European Parliament and of the Council, which deals with protective measures against plant pests, amending Regulations of the European Parliament and of the Council (EU) No. 228/2013, (EU) No. 652/2014 and (EU) No. 1143/2014 and which repeals the Council's directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, pages 4–104), in the case provided for in Article 81.

[RT I, 03.07.2020, 7 - enters into force. 07/06/2020]

(2) The sales package of fodder seed is labeled by printing the information required on the label on the label or sales package under the supervision of the Agriculture and Food Board.

[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

(3) When printing the information prescribed on the sales package label of fodder seed on the sales package, the information is indelibly printed directly on the package. The Agricultural and Food Board or a licensed seed sampler shall add the information specified in clauses 3, 4 and 18 of § 18 (1) to the label.

[RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

(4) Before printing the label, the packer informs the Agriculture and Food Board about the number of labels needed.

[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

(5) The Agriculture and Food Board determines the number of the seed lot and the number of labels allowed to be printed in the certification decision.

[RT I, 27.01.2018, 1 - enters into force. 01.01.2019]

(6) In the case of seed originating from a genetically modified variety, relevant information shall be noted on the certification decision, label and other document.

[RT I, 27.01.2018, 1 - enters into force. 01.01.2019]

(7) Information about the chemical treatment of the seed is indicated on or inside the label and package. If a plant protection agent is used for the chemical treatment of the seed, the name of the plant protection agent, the name of the active ingredient contained in the plant protection agent, warning statements and, if necessary, the risk reduction measures specified in the plant protection agent's permit shall be presented on the label.

[RT I, 27.01.2018, 1 - enters into force. 01.02.2018]

(8) Information about the species and varieties included in the mixture and the name of the produced mixture or its code shall be indicated on the label.

(9) [Repealed - RTL 2006, 70, 1286 - entry into force. 23.09.2006]

1

§ 16 . Labeling of the sales package of storage variety seed and storage mixture

The packager affixes a label to the sales package of the storage variety seed and storage mixture, taking into account the requirements set forth in subsections 1, 3 and 7 of § 16. The packager adds the number of the seed lot of the certified storage variety or the seed lot of the storage mixture to the information provided on the label.

[RT I, 10.02.2012, 13 - enters into force. 13.02.2012]

§ 17. Etiquette requirements

(1) The minimum size of the label is 110 × 67 mm.

[RT I, 30.03.2011, 4 - enters into force. 02.04.2011]

(2) The super elite seed label is white with a violet diagonal stripe, the elite seed label is white, the certified seed and first generation certified seed label is blue, the second generation certified seed label is red, the utility seed label is brown, the seed mix label is green, the label of the batch of uncertified seed is gray in color and for production testing based on § 32 of the "Plant Propagation and Variety Protection Act" the label of the marketed seed is orange.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

(3) The label material used must be non-tearable and the entries printed on the label must be indelible.

[RT I, 30.03.2011, 4 - enters into force. 02.04.2011]

§ 18. Information to be marked on the label

[RT I, 30.03.2011, 4 - entered into force. 02.04.2011]

(1) The label of super-elite and elite seed, certified seed and first-generation certified seed and second-generation certified seed shall state:

[RT I, 27.01.2018, 1 - entered into force. 01.02.2018]

- 1) the words "EU requirements and standards";
- 2) the name of the certification body and the name of the Member State or its symbol;
- 3) the month and year of closing the package, marked "Closed... (month and year)" or the month and year of the last sample taken for certification, marked "Sample has been taken... (month and year)";
- 4) seed lot number;
- 5) species name in Latin and Estonian (can be submitted abbreviated and without authors' names);
- 6) variety name in Latin letters;
- 7) category and its abbreviation;
- 8) name of the country of manufacture;
- 9) declared net or gross weight or number of seeds;
- 10) in the case of the use of dragees, granular pesticides or other solid additives, the type of additive and the approximate ratio

between the net weight and the total weight of the seeds;

11) in the case of certified seed, the number of generations following the elite seed;

12) in the case of seed of a grass variety that is not intended for fodder production, the words "Not intended for fodder production";

13) in the case of a new germination check, the name of the certification body and the name of the Member State or its designation, the month and year of the sample analysis, marked "The analysis has been done... (month and year)". This information can be added to the label on sticky paper;

14) For seed packaged in Estonia, data on seed purity and germination, weight of 1000 grains and plant health register number.

[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

1

(1) [Invalid - RT I, 27.01.2018, 1 - entered into force. 01.02.2018]

2

(1) The data of the plant passport specified in the Annex to Commission Implementing Regulation (EU) 2017/2313 shall be entered on the label of the sales package of super-elite, elite and certified seeds of common alfalfa (*Medicago sativa* L.) or, if the seed of the said plant species is included in the seed mixture, then on the label of the sales package of this mixture.

[RT I, 03.07.2020, 7 - enters into force. 07/06/2020]

(2) The following shall be indicated on the label of commercial seed:

1) the words "EU requirements and standards";

2) the words "Consumer seed (not certified as genuine variety)";

3) The name of the competent authority and the name of the Member State or its symbol;

[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

4) seed lot number;

5) the month and year of closing the package, marked "Closed... (month and year)" or the month and year of the last sample taking, marked "Sample has been taken... (month and year)";

6) species name in Latin and Estonian (can be submitted abbreviated and without authors' names);

7) the name of the country of manufacture or the region of the country of manufacture;

8) declared net or gross weight or number of seeds;

9) in the case of the use of dragees, granular pesticides or other solid additives, the type of additive and the approximate ratio between the net weight and the total weight of the seeds;

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

10) in the case of a new control of germination, the name of the certification body and the name of the Member State or its designation, the month and year of the sample analysis, marked "The analysis has been carried out... (month and year)". This information can be added to the label on sticky paper;

11) [invalidated - RTL 2007, 24, 429 - entry into force. 25.03.2007] 12) For seed packaged in Estonia, seed purity, germination, weight of 1000 grains and plant health register number. [RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

(3) The following shall be indicated on the label of the seed mixture:

1) the purpose of use, marked "seed mixture";

2) the name of the certification body and the name of the Member State or its symbol;

3) seed batch number;

4) the month and year of closing the package, marked «Closed... (month and year)»;

5) data on the composition in percentages by species and varieties. If the information about the composition has been provided to the buyer in writing and the seed mixture has been registered, only the name of the seed mixture is indicated;

6) declared net or gross weight or number of seeds;

7) in the case of the use of dragees, granular pesticides or other solid additives, the type of additive and the approximate ratio between the net weight and the total weight of the seeds;

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

8) in the case of a new control of germination, the name of the certification body and the name of the Member State or its designation, the month and year of the sample analysis, marked "The analysis has been carried out... (month and year)". This information can be added to the label on sticky paper.

(4) [Repealed - RTL 2007, 24, 429 - entry into force. 01.05.2007]

(5) The provisions of subsection 1 point 1 and subsection 6 point 1 do not apply to the label of super elite seed, elite seed and certified seed of the species specified in § 2 subsection 4 and first generation certified seed and second generation certified seed.

[RT I, 30.03.2011, 4 - enters into force. 02.04.2011]

(6) The following shall be indicated on the label of the storage variety seed:

1) the words «EU requirements and standards»;

2) business name and address or distinguishing mark of the packer who approved the label;

3) the month and year of closing the sales package, marked "Closed ... (month and year)" or the month and year of the last seed sample taken for certification, marked "Sample has been taken ... (month and year)";

4) species name in Latin and Estonian (can be submitted abbreviated and without authors' names);

5) variety name in Latin letters;

6) the word "Storage grade";

7) region of origin;

8) seed production region, if it differs from the region of origin;

9) seed batch number;

10) declared net or gross weight or number of seeds;

11) the type of chemical treatment or additive and the approximate ratio of the net and gross weight of clean seeds, if the gross weight of the seeds is indicated and granulated pesticides, cleaning agents or other solid additives have been used.

[RTL 2010, 12, 222 - entry into force. 22.03.2010]

(7) On the basis of § 32 of the "Plant Propagation and Variety Protection Act", the following shall be indicated on the label of the seed marketed for production testing:

- 1) the name of the certification body and the name of the Member State or its symbol;
- 2) the month and year of closing the package, marked "Closed... (month and year)" or the month and year of the last sample taken for certification, marked "Sample has been taken... (month and year)";
- 3) seed batch number;
- 4) species name in Latin and Estonian (can be submitted abbreviated and without authors' names);
- 5) breeding number or variety name proposal or approved variety name and the number of the application submitted for taking the variety sheet, if it exists;
- 6) the words "The variety is not included in the variety sheet";
- 7) the words "Only for production tests";
- 8) In the case of seed packaged in Estonia, data on the purity and germination of the seed, the weight of 1000 grains and the number of the plant health register.

[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

(8) The following shall be indicated on the label of the storage mixture:

- 1) the words "EU requirements and standards";
- 2) the name and address or identification mark of the person responsible for the approval of the label;
- 3) harvesting method, labeled "Direct harvesting" or "Cultivated plant cultures";
- 4) the month and year of sealing the package, marked "Sealed ..." (month and year);
- 5) region of origin;
- 6) source area;
- 7) collection point;
- 8) habitat type of the collection site;
- 9) the words "Forage crop seed preservation mixture intended for use in an area with the same growth site type as the collection site (except for biotic conditions)";
- 10) seed batch number;
- 11) mass percentage of ingredients by plant species and plant subspecies;
- 12) declared net or total weight;
- 13) in the case of the use of granular pesticides, cleaning agents or other solid additives, the type of additive and the ratio of the approximate weight of the seed collection collected by direct harvesting or the weight of the pure seeds of cultivated plant crops to the total weight;
- 14) in the case of the preservation mixture of cultivated plant cultures, data on the germination of the plant species listed in § 2 of the ingredient, which does not meet the germination requirements set forth in Appendix 1.

[RT I, 10.02.2012, 13 - enters into force. 13.02.2012]

(9) In the case of Paragraph 8, Clause 11, it is sufficient to indicate the plant species and plant subspecies that are characteristic of the habitat type of the collection site and that are important as a component of the preservation mixture for the preservation of the natural environment in the context of the preservation of genetic resources.

[RT I, 10.02.2012, 13 - enters into force. 13.02.2012]

(10) If there are more than five ingredients specified in point 14 of paragraph 8, the germination rate of which does not meet the germination requirements set out in Appendix 1, the average of the germination rates of the ingredients shall be indicated on the label.

[RT I, 10.02.2012, 13 - enters into force. 13.02.2012]

§ 19. EU small packaging requirements

(1) The European Union A-small package for fodder crops (hereinafter *EU A-small package*) is a package that contains up to 2 kilograms of seed mixture, which is not intended for fodder production. The weight does not include the weight of cleaning agents, granular pesticides or other solids.

(2) The European Union B-small package of fodder crops (hereinafter *EU B-small package*) is a package that contains up to 10 kilograms of elite seed, certified seed, consumer seed, seed mixture intended for fodder production or 2-10 kilograms of seed mixture that is not intended for fodder production. The weight does not include the weight of cleaning agents, granular pesticides or other solids.

(3) EU A and EU B small packaging (hereinafter *referred to as EU small packaging*) must be closed in such a way that it cannot be opened without damaging the seal (seal, security sticker or label) or the packaging. The labeled sales package of packaged seed may be opened and resealed only under the supervision of the Agriculture and Food Board. At the request of the packager, the EU small package is sealed and labeled under the supervision of the Agriculture and Food Board in accordance with the requirements set forth in §§ 16 and 17.

[RT I, 28.06.2014, 18 - entered into force. 01.07.2014]

(4) The closing point of the EU B small package of elite forage crops must be sealed under the supervision of the Agriculture and Food Board in accordance with the requirements set forth in § 14 and marked in accordance with the requirements set forth in § 16 and 17.

[RT I, 28.06.2014, 18 - entered into force. 01.07.2014]

(5) The packager shall notify the Agriculture and Food Board of the dates of commencement and completion of packaging of certified forage seed and commercial seed in EU small packaging. The packer keeps records of the manufacturer's labels and the packaging of certified seed and commercial seed lots.

(6) The packager affixes the EU small package label or properly printed or stamped information on the outside of the sales package or inside the transparent package in such a way that the label is legible, taking into account the requirements set forth in subsections 3 and 6-8 of § 16 and subsection 3 of § 17. A self-adhesive label can be used.

(7) The manufacturer's label of the EU small package of certified seed and first generation certified seed is blue, the label of the producer of the second generation certified seed is red, the label of the consumer seed manufacturer is brown, and the manufacturer's

label of the EU small package of seed mixes is green.

[RT I, 30.03.2011, 4 - enters into force. 02.04.2011]

§ 20. Information to be marked on the label of the EU small packaging manufacturer

[RT I, 30.03.2011, 4 - entered into force. 02.04.2011]

(1) The producer's label of EU B-small package certified seed, first-generation certified seed and second-generation certified seed shall state:

[RT I, 30.03.2011, 4 - entry into force. 02.04.2011]

- 1) the words «EU B-small package»;
- 2) name and address or identification mark of the manufacturer responsible for marking;
- 3) specified serial number;
- 4) the name of the authority that assigned the serial number and the name of the Member State or its symbol;
- 5) reference number in case the serial number does not allow to identify the certified seed batch;
- 6) species name in Latin and Estonian (can be submitted abbreviated and without authors' names);
- 7) variety name in Latin letters;
- 8) category and its abbreviation;
- 9) declared net or gross weight or number of seeds;
- 10) in the case of the use of dragees, granular pesticides or other solid additives, the type of additive and the approximate ratio between the net weight and the total weight of the seeds;

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

- 11) in the case of seed of a grass variety that is not intended for fodder production, the words "Not intended for fodder production";
- 12) in the case of a new germination check, the name of the certification body and the name of the Member State or its designation, the month and year of the sample analysis, marked "The analysis has been carried out... (month and year)". This information can be added to the label on sticky paper.

13) [repealed - RTL 2007, 24, 429 - entry into force. 25.03.2007]

(2) The producer's label of the EU B small package of commercial seed shall state:

[RT I, 30.03.2011, 4 - entered into force. 02.04.2011]

- 1) the words «EU B-small package»;
- 2) name and address or identification mark of the manufacturer responsible for marking;
- 3) specified serial number;
- 4) the name of the authority that assigned the serial number and the name of the Member State or its symbol;
- 5) reference number in case the serial number does not allow to identify the certified seed batch;
- 6) species name in Latin and Estonian (can be submitted abbreviated and without authors' names);
- 7) word «Tarbeseeme»;
- 8) declared net or gross weight or number of seeds;
- 9) in the case of the use of dragees, granular pesticides or other solid additives, the type of additive and the approximate ratio between the net weight and the total weight of the seeds;

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

- 10) in the case of a new control of germination, the name of the certification body and the name of the Member State or its designation, the month and year of the sample analysis, marked "The analysis has been carried out... (month and year)". This information can be added to the label on sticky paper.

11) [invalidated - RTL 2007, 24, 429 - entry into force. 25.03.2007]

(3) The manufacturer's label of the EU small package of seed mixture shall state:

[RT I, 30.03.2011, 4 - entered into force. 02.04.2011]

- 1) the words «EL A-small package» or «EL B-small package»;
- 2) name and address or identification mark of the manufacturer responsible for the identification number of the mixture;

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

- 3) serial number specified for EU B-small package;
- 4) in the case of EU B small packaging, the name of the institution that assigned the serial number and the name of the Member State or its symbol;
- 5) in the case of the EU B small package, the reference number in case the serial number does not allow to identify the certified seed lot;
- 6) in the case of the EU A small package, a reference number to determine the seed batch;
- 7) in the case of EU A small packaging, the name of the member state or its symbol;
- 8) purpose of use, marked "seed mixture";
- 9) declared net or gross weight or number of seeds;
- 10) in the case of the use of dragees, granular pesticides or other solid additives, the type of additive and the approximate ratio between the net weight and the total weight of the seeds;

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

- 11) data on the composition in percentage by species and, if necessary, varieties. If the information about the composition has been provided to the buyer in writing and the seed mixture has been registered, only the name of the seed mixture is indicated.

(4) The following shall be written on the label of the small package of the storage variety seed:

- 1) the words «EL A-small package» or «EL B-small package»;
- 2) business name and address or distinguishing mark of the packer who approved the label;
- 3) the month and year of closing the sales package, marked "Closed ... (month and year)" or the month and year of the last seed sample taken for certification, marked "Sample has been taken ... (month and year)";
- 4) species name in Latin and Estonian (can be submitted abbreviated and without authors' names);
- 5) variety name in Latin letters;
- 6) the word "Storage grade";
- 7) region of origin;

- 8) seed production region, if it differs from the region of origin;
 - 9) seed batch number;
 - 10) declared net or gross weight or number of seeds;
 - 11) the type of chemical treatment or additive and the approximate ratio of the net and gross weight of clean seeds, if the gross weight of the seeds is indicated and granulated pesticides, cleaning agents or other solid additives have been used.
- [RTL 2010, 12, 222 - entry into force. 22.03.2010]

§ 21. Information to be noted on the label and manufacturer's document of seed imported from a non-EU country

In the case of marketing a seed quantity of more than two kilograms imported from a non-EU country, the following shall be indicated on the producer's document or label:

- 1) the name of the certification body and the name of the country or its symbol;
- 2) species name in Latin and Estonian (can be submitted abbreviated and without authors' names);
- 3) variety name in Latin letters;
- 4) category and its abbreviation;
- 5) name of the exporting country;
- 6) name of the importer;
- 7) declared net or gross weight.

§ 22. Information to be marked on the label and shipping document of uncertified seed

(1) The label of a lot of uncertified seed produced in another Member State or in the country specified in § 109 subsection 1 of the "Plant Propagation and Variety Protection Act" shall state:

1) the name of the competent authority responsible for field certification and the name of the Member State or the name of the country recognized as equivalent or its symbol;

[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

- 2) species name in Latin and Estonian (can be submitted abbreviated and without authors' names);
- 3) variety name in Latin letters;
- 4) field number or lot number;
- 5) category and its abbreviation;
- 6) declared net or gross weight;
- 7) the words «Not yet certified seed».

(2) The accompanying document of a lot of uncertified seed produced in another Member State or in the country specified in § 109 subsection 1 of the "Plant Propagation and Variety Protection Act" shall be marked with:

1) the name of the competent authority that issued the document and the name of the Member State or the name of the country recognized as equivalent or its symbol;

[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

- 2) species name in Latin and Estonian (can be submitted abbreviated and without authors' names);
- 3) variety name in Latin letters;
- 4) category and its abbreviation;
- 5) the number of the seed batch that was the starting material for the production of the seed, or information about the category and the country or countries where the seed is certified;
- 6) field number or lot number;
- 7) the area in hectares of the field on which the labeled seed was produced;
- 8) quantity of harvested seed and number of packages;
- 9) in the case of certified seed, the number of generations following the elite seed;
- 10) laboratory preliminary analysis data, if required;
- 11) certificate from the certification body that the requirements for field recognition have been met.

§ 23. Label validity period

(1) The label of the seed batch of super elite, elite and certified forage crops is valid for two years from the date of closing the sales package.

(2) The validity period of the label, which is a document certifying the certification of fodder seed, may be extended at the request of the owner of the seed lot.

(3) In order to extend the validity period of the label, the germination of the seed is checked by taking a repeat sample of the germination of the seed.

(4) If the seed batch complies with the requirements established for the germination of the certified seed, the validity of the label is extended by two years. This will be noted on the label.

(5) In the case of repackaging, the date of the initial closure of the package shall be indicated on the label of the seed batch of certified fodder crops.

Chapter 5 MARKETING OF FORAGE CROP SEED AND SEED MIXTURE

§ 24. Marketing requirements

(1) It is permitted to market certified and compliant seed of a variety included in the variety list or the European Union's unified crop variety list, or non-compliant seed in cases provided for in legislation.

[RT I, 20.12.2013, 1 - enters into force. 31.12.2013]

(2) Spruce (*Deschampsia caespitosa* (L.) P. Beauv.), sedge (*Bromus inermis* Leyss.), sedge (*Phalaris arundinacea* L.), slender sedge (*Koeleria macrantha* (Ledeb.) Schult.) and white honeysuckle (*Melilotus alba* L.) seed may only be marketed in Estonia as

certified seed or as seed of a conservation variety.
[RTL 2010, 12, 222 - entry into force. 22.03.2010]

(3) Common sedge (*Onobrychis vicifolia* Scop.), common foxglove (*Cynodon dactylon* (L.) Pers.), crown sweet clover (*Hedysarum coronarium* L.), tuber ribbon grass (*Phalaris aquatica* L.), turf grass (*Poa annua* L.), field fenugreek (*Trigonella foenum-graecum* L.) and Hungarian mouse pea (*Vicia pannonica* Crantz) seed is allowed to be marketed either as certified elite seed, certified seed, storage variety seed or commercial seed.

[RTL 2010, 12, 222 - entry into force. 22.03.2010]

(4) The marketed seed must be properly packaged and the packaging must be properly labeled.

(5) A batch of seed that is not fully certified shall be provided with the color established in § 17 subsection 2 and the label specified in § 22 and with a document certifying field recognition.

(6) It is allowed to market the seed of the conservation variety only in the region of origin, taking into account the permitted quantities

for marketing the seed of the conservation variety established on the basis of § 106 2

(6) of the "Plant Propagation and Variety

Protection Act" .

[RT I, 20.12.2013, 1 - enters into force. 31.12.2013]

(7) A super elite or elite seed that does not meet the germination requirements specified in subsection 13 (4) is allowed to be marketed if its label contains information about the seed's actual germination or if the distributor supplies the sales package with a label indicating the lot number, the name and address of the distributor, and data on the seed's germination about.

[RT I, 27.12.2011, 1 - enters into force. 30.12.2011]

§ 25. Marketing of fodder crop seed mixture

(1) The seed of fodder crops is allowed to be marketed as a seed mixture intended for the production of fodder, if the ingredients of the mixture are the seeds of the forage crop species specified in the list of plant species to be certified in § 2 subsections 1-3 and each component of the mixture has been certified or, in the case of consumer seed, checked and has been recognized as meeting the requirements established in Appendix 1.

[RT I, 19.04.2011, 2 - enters into force. 22.04.2011]

(2) The seed of fodder crops is allowed to be marketed as a seed mixture intended for the production of fodder only in Estonia, if the ingredients of the mixture are the seeds of the species of forage crops specified in the list of plant species to be certified in § 2 subsection 4 and each component of the mixture has been certified or, in the case of commercial seed, checked and has been recognized as complying with the requirements established in Appendix 1.

[RT I, 19.04.2011, 2 - enters into force. 22.04.2011]

(3) The seed of a species not mentioned in the regulation may also be used in a seed mixture of species and varieties of different fodder crops that are not intended for fodder production. Each component of the mixture must be checked and recognized as meeting the quality requirements.

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5 . chapter

PRODUCTION AND MARKETING OF FORAGE CROP ORGANIC HETEROGENEOUS SEED

[RT I, 16.12.2021, 1 - enters into force. 01.01.2022]

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§ 25 . Requirements for the production and marketing of organic heterogeneous seed

In the production and marketing of organic heterogeneous seed, Commission Delegated Regulation (EU) 2021/1189 is followed, supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council regarding the production and marketing of plant propagation material consisting of organic heterogeneous material of certain families and species (OJ L 258, 20.07 .2021, pp. 18–27), requirements.

[RT I, 16.12.2021, 1 - enters into force. 01.01.2022]

Chapter 6 STATE SUPERVISION

[RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

§ 26. Frequency and scope of state supervision of field recognition and seed sampling and analysis

[RT I, 26.03.2019, 1 - entered into force. 01.04.2019]

(1) The Board of Agriculture and Food carries out state supervision of the field recognition performed by a licensed field recogniser at least once a year to the extent of 5%.

(2) The Agricultural and Food Board performs state supervision of the seed lots submitted for certification by licensed seed samplers at least once a year to the extent of 5%.

(3) The Agriculture and Food Board performs state supervision of the use of automatic sampling equipment at least once a year.

(4) The Agriculture and Food Board carries out state supervision of the analysis of samples in the seed control laboratory at least once a year to the extent of 5%.

[RT I, 26.03.2019, 1 - enters into force. 01.04.2019]

Chapter 7

IMPLEMENTATION PROVISIONS

§ 27. Implementation of the regulation

(1) The seed of fodder crops labeled in accordance with the requirements in force before May 1, 2006 may be marketed until the goods run out.

[RTL 2007, 24, 429 - entry into force. 25.03.2007]

(2) The seed of packaged fodder crops labeled according to the requirements in force before March 25, 2007 may be marketed until the end of the validity period of the label or the last permitted marketing date indicated on the label.

[RTL 2007, 24, 429 - entry into force. 25.03.2007]

§ 28. Entry into force of the regulation

The regulation enters into force on May 1, 2006.

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Council Directive 66/401/EEC on the marketing of fodder seed (OJ L 125, 14.06.1966, pp. 2298–2308), amended by Directives 69/63/EEC (OJ L 48, 26.02.1969, pp. 8–12), 71/162/EEC (OJ L 87, 17.04.1971, pp. 24–28), 72/274/EEC (OJ L 171, 29.07.1972, pp. 37–38), 72/418/EEC (OJ L 287, 26.12.1972, pp. 22–30), 73/438/EEC (OJ L 356, 27.12.1973, pp. 79–82), 75/444/EEC (OJ L 196, 26.07.1975, pp. 6–13), 78/55/EEC (OJ L 16, 20.01.1978, pp. 23–29), 78/386/EEC (OJ L 113, 25.04.1978, pp. 1–12), 78/692/EEC (OJ L 236, 26.08.1978, pp. 13–18), 78/1020/EEC (OJ L 350, 14.12.1978, p. 27), 79/641/EEC (OJ L 183, 19.07.1979, pp. 13–16), 79/692/EEC (OJ L 205, 13.08.1979, pp. 1–4), 80/754/EEC (OJ L 207, 09.08.1980, p. 36), 81/126/EEC (OJ L 67, 12.03.1981, pp. 36–37), 82/287/EEC (OJ L 131, 13.05.1982, pp. 24–26), 85/38/EEC (OJ L 16, 19.01.1985, pp. 41–42), 86/155/EEC (OJ L 118, 07.05.1986, pp. 23–27), 87/120/EEC (OJ L 49, 18.02.1987, pp. 39–43), 87/480/EEC (OJ L 273, 26.09.1987, pp. 43–44), 88/332/EEC (OJ L 151, 17.06.1988, pp. 82–83), 88/380/EEC (OJ L 187, 16.07.1988, pp. 31–48), 89/100/EEC (OJ L 38, 10.02.1989, p. 36), 90/654/EEC (OJ L 353, 17.12.1990, pp. 48–56), 92/19/EEC (OJ L 104, 22.04.1992, pp. 61–62), 96/18/EC (OJ L 76, 26.03.1996, pp. 21–22), 96/72/EC (OJ L 304, 27.11.1996, pp. 10–11), 98/95/EC (OJ L 25, 01.02.1999, pp. 1–26), 98/96/EC (OJ L 25, 01.02.1999, pp. 27–33), 2001/64/EC (OJ L 234, 01.09.2001, p. 60–61), 2003/61/EC (OJ L 165, 03.07.2003, p. 23–28), 2004/55/EC (OJ L 114, 21.04.2004, p. 18), 2004/117/EC (OJ L 14, 18.01.2005, pp. 18–33), 2007/72/EC (OJ L 329, 14.12.2007, pp. 37–39), 2009/74/EC (OJ L 166, 27.06.2009, pp. 40–70), 2012/37/EU (OJ L 325, 23.11.2012, pp. 13–14), (EU) 2016/317 (OJ L 60, 05.03.2016, pp. 72–75), (EU) 2016/2109 (OJ L 327, 02.12.2016, pp. 59–75), (EU) 2020/177 (OJ L 41, 13.02.2020, pp. 1–77), (EL) 2021/415 (OJ L 81, 09.03.2021, pp. 65–69) and (EL) 2021/971 (OJ L 214, 17.06.2021, p. 62) -65);

Commission Directive 2008/62/EC, which provides for certain exceptions for the approval of public selection varieties and varieties of agricultural crops adapted to local and regional conditions and threatened by genetic erosion, and for the marketing of seeds and seed potatoes of these public selection varieties and varieties (OJ L 162, 21.06.2008, pp. 13–19);

Commission Directive 2008/124/EC authorizing the marketing of seed of certain fodder crops and oil and fiber plant species only if it is officially certified as "elite seed" or "certified seed" (OJ L 340, 19.12.2008, pp. 73–75);

Commission Directive 2010/60/EU establishing certain exceptions for the marketing of seed mixtures of forage crops intended for the preservation of the natural environment (OJ L 228, 31.08.2010, pp. 10–14).

[RT I, 27.07.2022, 1 - enters into force. 31.08.2022]

Appendix 1 Quality requirements for fodder seed categories

[RT I, 11.07.2017, 1 - entered into force. 01.01.2018]

Appendix 2 Requirements for the form and content of the seed certificate

[Repealed - RT I, 27.01.2018, 1 - entered into force. 01.01.2019]

Appendix 3 Sizes of fodder crop seed samples

[RT I, 11.07.2017, 1 - entered into force. 01.01.2018]

Appendix 4 Application for a packaging permit

[Repealed - RT I, 18.06.2014, 1 - in force. 01.07.2014]