

Publisher: Minister of Agriculture
Type of act: regulation
Type of text: full text
Entry into force of the revision: 20/05/2024
Expiry of revision: Currently valid
Disclosure notice: RT I, 17.05.2024, 4

Categories of vegetable crop seed and requirements for the production and marketing of vegetable crop seed¹

Adopted 05.05.2006 No. 60
RTL 2006, 41, 734
entry into force 21.05.2006

Amended by the following acts

Reception	Disclosure	Enforcement
13.03.2007	RTL 2007, 24, 429	25.03.2007
20.06.2007	RTL 2007, 52, 951	01.07.2007
28.05.2008	RTL 2008, 46, 639	09.06.2008
05.03.2009	RTL 2009, 25, 323	20.03.2009
06.05.2010	RTL 2010, 25, 439	22.05.2010
28.12.2010	RT I, 05.01.2011, 2	08.01.2011
19.12.2011	RT I, 27.12.2011, 1	30.12.2011, partially 1.01.2012
16.12.2013	RT I, 20.12.2013, 1	31.12.2013
21.02.2014	RT I, 28.02.2014, 4	31.03.2014
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
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
03.06.2020	RT I, 05.06.2020, 1	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 text, the word "Agricultural Management Board" was replaced by the words "Põllumajandus- ja Toiduamet" in the corresponding case.
19.02.2021	RT I, 02.03.2021, 2	03/05/2021
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 accordance with § 3 subsection 3, § 6 subsection 1 subsection 4, § 26 subsection 4, § 65 subsections 4 and 7, § 73 subsections 8 and 9, § 74 subsection 5, § 75 subsections 2 and 4 of the "Plant Propagation and Variety Protection Act", § 76 subsection 4, § 96 subsection 2, § 101 subsection 4, § 104 subsection 4, on the basis of § 105 subsection 5, § 106 subsection 8 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 categories of seed of vegetable crops, including certified seed of the preservation variety intended for the preservation of genetic resources (hereinafter *preservation variety*), standard seed of the preservation variety and seed of the variety bred for growing under special conditions and their quality requirements, types of hybrid varieties and inbred lines, a list of plant pests that reduce the quality of the seed and their occurrence limits, seed production requirements, certification procedure and requirements, the list of certifiable species, requirements and validity period of the document certifying the certification of vegetable seed, other seed quality requirements, vegetable seed packaging requirements, requirements for packaging and closing the sales package of vegetable seed and marking the sales package of vegetable seed and the batch of vegetable seed, the procedure for issuing documents certifying certification or inspection, and the content of labels and form requirements, marketing requirements, not fully certified requirements for the label and accompanying documents of the seed batch of vegetable crops, requirements for the production and marketing of organic heterogeneous seed of vegetable crops, and requirements for the frequency and extent of national

supervision.

[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 vegetable plants to obtain an agricultural product, except for cultivation for decorative purposes, or for the production of seed.

Chapter 2 LIST OF VEGETABLE CROPS SPECIES AND SEED CATEGORIES

§ 2. List of types of vegetable crops

The requirements of the regulation apply to the following types of vegetable crops:

1) *Allium cepa* L. – common onion; chives; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 2) *Allium cepa* L. var. *Aggregatum* – nest onion or shallot; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 3) *Allium cepa* L. var. *Cepa* - common onion, scallion; 4) *Allium fistulosum* L. – spring onion; 5) *Allium porrum* L. – leek; 6) *Allium sativum* L. – garlic; 7) *Allium schoenoprasum* L. – chive; 8) *Anthriscus cerefolium* (L.) Hoffm. – garden magpie booth; 9) *Apium graveolens* L. – garden celery, root celery; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 10) *Asparagus officinalis* L. – asparagus; 11) *Beta vulgaris* L. – beetroot, including beetroot Cheltenham, beetroot or Swiss chard; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 12) *Brassica oleracea* L. - broccoli, including broccoli and asparagus, cauliflower, kale, Brussels sprouts, curly cabbage, white cabbage, red cabbage, palm cabbage, tufted cabbage, kohlrabi; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 13) *Brassica rapa* L. – Chinese cabbage group, including Beijing turnip, turnip; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 14) *Capsicum annuum* L. – common paprika or red pepper; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 15) *Cichorium endivia* L. – endive chicory; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 16) *Cichorium intybus* L. – secret chicory, common chicory, including red chicory or Italian chicory, industrial chicory or root chicory; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 17) *Citrullus lanatus* (Thunb.) Matsum. en Nakai - ordinary watermelon; 18) *Cucumis melo* L. – melon; 19) *Cucumis sativus* L. – common cucumber, gherkin; 20) *Cucurbita maxima* Duchesne – large-fruited pumpkin; 21) *Cucurbita pepo* L. – common pumpkin, including plate pumpkin and roller pumpkin;

[RT I, 05.06.2020, 1 - enters into force. 01.07.2020]

22) *Cynara cardunculus* L. – Spanish artichoke, cardoon; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 23) *Daucus carota* L. – garden carrot for food or fodder; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 24) *Foeniculum vulgare* Mill. – fennel Azoricum group; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 25) *Lactuca sativa* L. – garden lettuce; 26) *Solanum lycopersicum* L. – common tomato; [RT I, 28.02.2014, 4 - enters into force. 31.03.2014] 27) *Petroselinum crispum* (Mill.) Nymanex AW Hill – leaf parsley, root parsley; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 28) *Phaseolus coccineus* L. – flowering plant; 29) *Phaseolus vulgaris* L. – shrub, lattuba; 30) *Pisum sativum* L. (partim) – pea, smooth pea, sugar pea; 31) *Raphanus sativus* L. – radish, black radish; 32) *Rheum rhabarbarum* L. – curly-leaved rhubarb, including common rhubarb; [RT I, 05.06.2020, 1 - enters into force. 01.07.2020] 33) *Scorzonera hispanica* L. – garden black root; 34) *Solanum melongena* L. – eggplant; 35) *Spinacia oleracea* L. – garden spinach; 36) *Valerianella locusta* (L.) Laterr. – field fungus; 37) *Vicia faba* L. (partim) – field bean; 38) *Zea mays* L. (partim) – sweet corn, cracking corn. [RTL 2007, 52, 951 - entry into force. 01.07.2007]

§ 3. Seed categories of vegetable crops 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 certified seed;
- 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 seed of the elite seed category with the designation E is a seed that:

- 1) is produced from super elite seed or the seed of the generation preceding the generation of the super elite seed 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 certified seed;
- 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]

(3) A certified seed category seed marked C or Z is a seed that:

- 1) is produced from elite seed or, at the written request of the owner or keeper of the variety, from super-elite seed that meets the field recognition and quality requirements established for super-elite seed;
- 2) is intended for vegetable production;
- 3) meets the field recognition and quality requirements established for certified seed;
- 4) is certified;
- 5) is subject to verification of varietal authenticity and purity in follow-up tests by the Agriculture and Food Board.

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

(4) The standard seed designation ST is the seed of the species of vegetable crops specified in § 2, with the exception of industrial chicory (*Cichorium intybus* L.), which:

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

- 1) is true to variety and pure;
- 2) is intended for vegetable production;
- 3) meets the requirements established for standard seed;
- 4) is subject to spot checks of varietal authenticity and purity in follow-up tests by the Agriculture and Food Board.

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

(5) The seed of the storage variety marked GR is the seed of the species of vegetable crops mentioned in § 2, which:

- 1) is true to the variety and pure;
- 2) has been produced in accordance with recognized practices for the preservation of the variety;
- 3) is intended for the production of standard seed and vegetable of the storage variety;
- 4) meets the requirements established for the seed of the storage variety;
- 5) is certified;
- 6) is subject to random verification of varietal authenticity and purity in follow-up tests by the Agriculture and Food Board.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

(6) The storage variety standard seed marked GRST is the seed of the vegetable crop species specified in § 2, with the exception of industrial chicory (*Cichorium intybus* L.), which:

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

- 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 vegetable production;
- 4) meets the requirements established for the standard seed of the storage variety;
- 5) has been checked by the manufacturer;
- 6) is subject to random verification of varietal authenticity and purity in follow-up tests by the Agriculture and Food Board.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

(7) The seed of a variety bred for cultivation under special conditions with the designation GRERI is the seed of the species of vegetable crops 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 vegetable production;
 - 4) meets the requirements established for the seed of a variety bred for cultivation under special conditions;
 - 5) has been checked by the manufacturer;
 - 6) is subject to random verification of varietal authenticity and purity in follow-up tests by the Agriculture and Food Board.
- [RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

Chapter 3

VEGETABLE CROP SEED PRODUCTION AND CERTIFICATION REQUIREMENTS

§ 4. Seed quality requirements of vegetable crops

(1) The seed quality requirements of vegetable crops for seed lots are given in Appendix 1. The seed of the conservation variety of vegetable crops, the standard seed of the conservation variety and the seed of the variety bred for growing under special conditions, and the seed of a vegetable crop marketed for production testing on the basis of § 32 of the "Plant Propagation and Variety Protection Act" must meet the quality requirements for the seed of vegetable crops specified in Appendix 1.

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

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(1) The minimum varietal purity of the seed of the preservation variety of vegetable crops, the standard seed of the preservation variety and the seed of the variety bred for growing under special conditions is 90%.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

(2) 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), on dangerous plant pests mentioned in Annex II.

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

(3) Plant pests that reduce the quality of the seed of vegetable crops specified in Appendix 6 must not be present in the seed batch in excess of the permitted limit.

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

(4) The germination requirement for corn (*Zea mays* L.) sweet corn varieties with a particularly high sugar content is reduced to 75% of pure seed. The official label or supplier's document states "minimum germination 80%".

[RTL 2010, 25, 439 - entry into force. 22.05.2010]

§ 5. Production requirements

(1) In the case of production of seed of vegetable crops, seed of conservation variety, standard seed of conservation variety and seed of a variety bred for cultivation under special conditions, mixing of the produced seed with seed from a neighboring seed field in any way must be excluded.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

(2) Measures to prevent the occurrence of quality-reducing plant pests specified in Part E of Annex V to Commission Implementing Regulation (EU) 2019/2072 shall be implemented in the production of seed of vegetable crops.

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

§ 6. Standard seed production requirements

(1) The production of standard seed of vegetable crops is organized by the owner, representative or keeper of the variety.

(2) The species and varietal purity and purity of the standard seed of vegetable crops is checked by the owner, representative or custodian of the variety during the field certification and keeps data on them for at least three years.

(3) The producer of standard seed:

- 1) keeps records of the batches of standard seed produced and keeps this record for at least three years;
- 2) takes a seed sample from each batch of standard seed produced and stores these samples for at least two years.

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§ 6 . Production requirements for the standard seed of the storage variety and the seed of the variety bred for cultivation under special conditions

(1) The production of standard seed of the storage variety and seed of the variety bred for cultivation under special conditions is organized by the producer.

(2) The manufacturer checks the species and varietal authenticity and varietal purity of the standard seed of the conservation variety and the seed of the variety bred for cultivation under special conditions and keeps data on them for at least three years.

(3) In order to check the compliance of the standard seed of the storage variety and the seed of the variety bred for growing under special conditions with the quality requirements, the manufacturer shall arrange:

- 1) taking a seed sample from the seed lot;
- 2) analysis of the seed sample in a laboratory accredited by the International Seed Control Association (hereinafter *ISTA*).

(4) A producer of standard seed of a storage variety and seed of a variety bred for growing under special conditions:

- 1) keeps records of the seed batches produced and keeps these records for at least three years;
- 2) preserves the seed sample taken from each batch of seed produced for at least two years.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

§ 7. Distance requirements

(1) When producing seeds of vegetable crops, the plants must be protected from foreign pollination.

(2) In order to protect the plants specified in subsection 1 from foreign pollination, the seed field must be separated from the 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 case of production of super-elite and elite seed and certified seed of vegetable crops, the smallest distance between the seed field and a neighboring field with plants of another variety or of the same category of seed that do not meet the varietal purity requirements is as follows:

Species	Distance (m)	
	Super elite and elite seeds	Certified and standard seeds
1) <i>Beta</i> species		
genus <i>Beta</i> subspecies seed	1000	1000
from a seed field of a variety belonging to a different variety group of the same subspecies	1000	600
from a seed field of a variety belonging to the same group of varieties of the same subspecies	600	300
2) <i>Brassica</i> species		
from a source of unwanted cross-pollination	1000	600
from a foreign pollination source that can cross with <i>Brassica</i> species as a result of cross-pollination	500	300
3) common chicory (<i>Cichorium intybus</i> L.)		
from another seed field of a variety of the same genus or subspecies	1000	1000
from another seed field of the common chicory variety	600	300
4) another type of cross-pollinator vegetable crop		
from the seed field, which may cause the quality of the grown variety to decrease due to foreign pollination	500	300
from a source of foreign pollination, which may cross with varieties of other species as a result of cross-pollination	300	100
5) [Repealed – RT I 05.01.2011, 2 – entered into force. 08.01.2011]		

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

§ 8. Certification procedure

(1) The Agriculture and Food Board certifies the seed of vegetable crops in accordance with international requirements. In order to certify the seed of vegetable crops, field recognition is carried out 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 certification of the seed of vegetable crops 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 case of production of super-elite and elite seed of vegetable crops, the seedling must be field-approved at least once during the growing season.

(5) In the case of certified seed production, the seedling must be field certified at least once during the growing season. At least 20% of the seed fields of the certified seed must be field-recognized by the Agriculture and Food Board.
[RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

(6) Regarding the batch of vegetable crops seed that meets the certification requirements, the Agriculture and Food Board makes a certification decision, taking into account the results of field validation, 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]

(1) In order to ensure the compliance of the certification of the seed of the storage variety, the manufacturer organizes the inspection of the conformity of the seed of the storage variety with the requirements of species and varietal purity and varietal purity, as well as compliance with the quality requirements.

(2) 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]

(3) The manufacturer labels and seals the batch of seed of the storage variety that meets the certification requirements, taking into account the appropriateness of the species and varietal authenticity and varietal purity of the seed of the storage variety and the results of the laboratory analysis.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

§ 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) The seed field must not contain plants from the pre-culture, the seeds of which are difficult to separate from the seeds 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 purity and purity of the growing plant and the purity and purity of the variety, or to the extent, which prevents field recognition.

(4) Plant pests may 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.

§ 10. Varietal authenticity and purity requirements

(1) The seed to be certified must be sufficiently varietal and pure, the seed of the inbred line must be sufficiently varietal and pure in terms of its characteristics.

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(1) 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]

(2) A plant of an inbred line is true and pure if the external characteristics of the growing plant correspond to the description of the variety.

(3) The seed of a hybrid variety is sufficiently true and pure if the seed meets the requirements for the trueness and purity of the seed of each hybrid parent.

(4) When checking the authenticity of the variety, the field appraiser compares the external characteristics of the growing plants with the description of the variety.

(5) Varietal purity is checked during follow-up field tests.

(6) The Agriculture and Food Board organizes the random follow-up test of standard seed.

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

(7) For the follow-up field test of certified seed, standard seed, preservation variety seed, preservation variety standard seed, and seed of a variety bred for cultivation under special conditions, a sample is taken by the Agriculture and Food Board or a licensed seed sampler.

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

(8) The purity of the seed of the conservation variety, the standard seed of the conservation variety and the seed of the variety bred for cultivation under special conditions is at least 90%.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

§ 11. Sampling and sample size

(1) The Agriculture and Food Board or a licensed seed sampler takes a seed sample for determining the quality of vegetable seed from a seed lot that has been conditioned for sale in accordance with the internationally established methodology and closes the sales package or container of the seed lot to be certified with a security sticker or seal of the Agricultural and Food Board or a licensed seed sampler. 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]

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(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 certified by an ISTA-accredited laboratory.

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

(4) In the case of a hybrid variety, the minimum weight of the seed sample may be reduced to a quarter of the established weight. In this case, the seed sample must weigh at least 5 grams and consist of at least 400 seeds.

§ 12. Seed quality is reduced by plant pests

Plant pests that reduce seed quality, including storage pests, can be present in the seed sample as little as possible.

§ 13. Requirements for vegetable seed to be certified

(1) Vegetable seeds that are true to species and variety and pure in species and variety, have passed follow-up field tests and meet quality requirements, including pedigree and plant health, are certified.

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

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

(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 super-elite, elite or first-generation certified seed produced in another Member State or in the country specified in subsection 109 (1) of the "Plant Propagation and Variety Protection Act";

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 its packaging is marked with a proper label and the seed batch is equipped with a proper accompanying 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 VEGETABLE CROPS

§ 14. Packaging requirements

(1) The closing point of the super-elite, elite and certified seed sales package of vegetable crops, with the exception of EU small packages and one-time resealable packages, must be sealed with the seal or security sticker of the Agricultural and Food Board or a licensed seed sampler, or the package must have a label sewn through at the closing point. 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]

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(1) The closing point of the sales package of the storage variety, the standard seed of the storage variety and the seed of the variety bred for cultivation under special conditions shall be sealed by the manufacturer. The sales package must be closed in such a way that it cannot be opened without damaging the seal, security sticker, label or package.

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

(2) The EU small package of vegetable crop seed (hereinafter *the EU small package*) is a package that contains up to:

1) 5 kg of leguminous seeds;

2) 500 g of seeds of common onion, garden thistle, asparagus, beetroot, beetroot, turnip, common watermelon, large-fruited pumpkin, common pumpkin, garden carrot, radish, garden black root, garden spinach or field fennel;

3) 100 g of seeds of other types of vegetable crops.

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(2) The EU small package of the seed of a variety bred for cultivation under special conditions is a sales package containing up to:

1) 250 grams of flower bean, bush bean, lattoa, rough-grained pea, smooth-grained pea, sugar pea, field pea, garden spinach, sweet corn or splitting corn seeds;

2) 25 grams of spring onion, common onion, spring onion, spring onion, leek, garlic, garden magpie, beetroot, including Cheltenham beetroot, beetroot or chard, Beijing turnip, turnip, common cucumber, gherkin, large-fruited pumpkin, common pumpkin, garden carrot, garden lettuce , garden parsley, radish, black radish, seeds of garden black root or field sedge;

3) up to 5 grams of chives, celeriac, celeriac, asparagus, curly kale, cauliflower, green broccoli, Brussels sprouts, curly head cabbage, white head cabbage, red head cabbage, collard greens, bell pepper, curly endive chicory, smooth endive chicory or escarole, salad chicory, red chicory, Italian chicory, industrial chicory, common watermelon, melon, common artichoke, seeds of the Spanish artichoke, common tomato, common fennel, rhubarb, or eggplant.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

(3) The standard seed sales package, EU small package or the container containing them and certified seed EU small package or the container containing them must be closed in such a way that it cannot be opened without damaging the seal, security sticker, label or package. If the container or sales package is marked with an adhesive label, it can be used to seal the closure of the container or package.

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

(4) The sales packaging of standard seeds, with the exception of EU small packaging, or the container containing them, must be equipped with a seal or label identifying the person responsible for packaging.

(5) The sales package of packaged and labeled seeds, except standard seed, standard seed EU small package, storage variety seed, storage variety standard seed and seed of a variety bred for growing under special conditions, 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 re-used later to market the closure. 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]

(6) 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]

(7) The packager keeps records of the printing of labels, keeping one printed label for each batch and all printed unused or damaged labels, and documents and stores the following information about the printing of labels:

- 1) date of label printing;
- 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. Requirements for the packer of standard seed, preservation variety seed, preservation variety standard seed, and seed of a variety bred for cultivation under special conditions

(1) In case of packaging of standard seed, conservation variety seed, conservation variety standard seed and seed of a variety bred for cultivation under special conditions, the holder of the packaging permit shall appoint the person responsible for packaging and inform the Agriculture and Food Board thereof.

(2) The person responsible for packaging standard seed, storage variety seed, storage variety standard seed and seed of a variety bred for cultivation under special conditions:

- 1) informs the Agriculture and Food Board of the dates of the start and end of packaging;
- 2) keeps records of the packaging of batches of standard seed, seed of preservation variety, standard seed of preservation variety and seed of a variety bred for cultivation under special conditions and keeps this record for at least three years;
- 3) takes a seed sample from each batch of packaged standard seed, storage variety seed, storage variety standard seed and seed of a variety bred for cultivation under special conditions and keeps these samples for at least two years.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

§ 17. Marking

(1) The appropriate label is affixed under the supervision of the Agriculture and Food Board on the outside of the sales package of any category of certified seed, except for the EU small package of certified seed, or inside the transparent package in such a way that the label can be read. A self-adhesive label can be used.

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

1

(1) The manufacturer's label of the seed of the appropriate storage variety, the standard seed of the storage variety and the seed of the variety bred for cultivation under special conditions shall be attached by the packager to the outside of the sales package or inside the transparent sales package in such a way that the label is legible. A self-adhesive label can be used.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

2

(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 the following on the label of the sales package of seed of plant species:

- 1) common pepper (*Capsicum annuum* L.);
- 2) common tomato (*Solanum lycopersicum* L.);
- 3) common onion and spring onion (*Allium cepa* L.);
- 4) wrinkled pea, smooth pea, sugar pea (*Pisum sativum* L. (partim));
- 5) leek (*Allium porrum* L.);
- 6) field bean (*Vicia faba* L. (partim));
- 7) bush suba and lattuba (*Phaseolus vulgaris* L.).

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

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2

(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) When the information prescribed on the label of the sales package of vegetable seeds is printed 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 16 of § 19 subsection 1 to the label.

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

(3) The manufacturer's label is attached to the outside of the small package of certified seed and the package of standard seed by the packager. The manufacturer's label must be clearly distinguishable from the label.

(4) Before printing the label, the producer or licensed seed sampler informs the Agriculture and Food Board about the number of labels needed.

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

(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]

§ 18. Etiquette requirements

(1) The minimum size of the label, except for the EU small package label, is 110×67 mm.

(2) The super elite seed label, including the EU small package label, is white with a violet diagonal stripe, the elite seed label, including the EU small package label, is white, the certified seed label, including the small package label, is blue, the standard seed manufacturer's label, with including the label of the manufacturer of the small package, is dark yellow in color, the label of uncertified seed produced in another Member State or a country recognized as equivalent is gray in color and On the basis of § 32 of the "Plant Propagation and Variety Protection Act", the label of the producer of seed marketed for production testing is orange.

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

(3) The requirement set forth in subsection 2 regarding the color of the standard seed producer's label does not apply to the EU small package with a picture intended for marketing to the end user, the information prescribed on the label is printed directly on the package.

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

(4) The label material used must be untearable and the entries printed on the label must be indelible.

[RTL 2010, 25, 439 - entry into force. 22.05.2010]

§ 19. Information to be marked on the label

(1) The label of the EU small package of super-elite and elite seed and certified seed, with the exception of certified seed, shall state:

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

1) the words «EU requirements and standards» or « *EC rules 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) seed 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;

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

11) the name of the ingredient under which it is registered, with or without a reference to the final variety, if an inbred line or hybrid variety is registered in the common variety sheet of vegetable crops of the European Union. In the case of an inbred line and a hybrid variety intended for use as an ingredient of the final variety, the word «Ingredient» must be indicated on the label;

12) in the case of an inbred line or hybrid variety, in other cases, the name of the ingredient of which the elite seed is concerned. The name may be given as a code with reference to the final variety and with or without reference to whether it is a male or female component. Also, the label must have the indication «Ingredient»;

13) in the case of certified seed of an inbred line or hybrid variety, the name of the variety of which the seed is concerned and the word "Hybrid variety" must be indicated on the label;

14) 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;

15) [repealed - RTL 2007, 24, 429 - entry into force. 25.03.2007] 16) For seed packaged in Estonia, seed purity, germination, 1000 grain weight and plant health register number. [RT I, 18.06.2014, 1 - enters into force. 01.07.2014]

(2) [Repealed - RT I, 27.01.2018, 1 - entry into force. 01.02.2018]

(3) Plant passport data specified in the Annex to Commission Implementing Regulation (EU) 2017/2313 shall be entered for common pepper (*Capsicum annuum* L.), common tomato (*Solanum lycopersicum* L.), common onion and spring onion (*Allium cepa* L.), rough-grained pea, smooth-grained pea, sugar pea (*Pisum sativum* L. (partim)), leek (*Allium porrum* L.), field bean (*Vicia faba* L. (partim)) and bush moss and lattoa (*Phaseolus vulgaris* L.) on the label of the sales package of superelite, elite and certified seeds, or if the seed of the mentioned 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]

§ 20. Information to be marked on the EU small package label

(1) The manufacturer's label of the EU small package of certified seed shall include:

1) the words "EU requirements and standards" or " *EC rules and standards* ";

2) name and address or identification mark of the manufacturer responsible for marking;

3) the month and year of sealing, marked "sealed ... (month and year)" or the year of the last germination determination. The final date of marketing can be indicated;

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

5) variety name in Latin letters;

6) seed category: certified seed («C» or «Z»);

7) in the case of certified seed, a reference number for determining the certified seed lot;

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 of the seeds and the total weight, except for small packages of up to 500 grams.

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

(2) The label of the manufacturer of standard seed shall include:

1) the words "EU requirements and standards" or " *EC rules and standards* ";

2) name and address or identification mark of the manufacturer responsible for marking;

3) the month and year of sealing, marked "sealed ... (month and year)" or the year of the last germination determination. The end of the marketing period may be indicated;

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

5) variety name in Latin letters;

6) seed category: standard seed and its abbreviation «ST»;

7) batch number given by the person responsible for labeling;

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 approximate ratio between the net weight of the seeds and the total weight, except for small packages of up to 500 grams.

(3) The label of the producer of the storage variety and standard seed of the storage variety shall include:

1) the words "EU requirements and standards";

2) business name and address or distinguishing mark of the packer responsible for installing the label;

3) the month and year of sealing the sales package, marked "Sealed ... (month and year)" or the month and year of the last seed sample, marked "Sampled ... (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 words "Certified seed of the storage variety" or "Standard seed of the storage variety";

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) in the case of the use of granular pesticides, cleaning agents or other solid additives, the type of chemical treatment or additive and the approximate ratio between the net weight and the total weight of the seeds.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

(4) The producer's label of the seed of a variety bred for cultivation under special conditions shall include:

1) the words "EU requirements and standards" or "EC rules and standards";

2) business name and address or distinguishing mark of the packer responsible for installing the label;

3) the month and year of sealing the sales package, marked "Sealed ... (month and year)" or the month and year of the last seed sample, marked "Sampled ... (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 words "Variety that has been bred to grow in special conditions";

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) in the case of the use of granular pesticides, cleaning agents or other solid additives, the type of chemical treatment or additive and the approximate ratio between the net weight and the total weight of the seeds.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

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

1) the words "EU requirements and standards" or "EU rules and standards";

2) name and address or identification mark of the manufacturer responsible for marking;

3) batch number given by the person responsible for marking;

4) the year of closing the package, marked "Closed... (year)" or the year of sampling for germination analysis, marked "Sampled... (year)" or the note "Use (best) before...(date)";

5) the words "... (species name) mixture of varieties";

6) variety name;

7) data on the composition of the mixture, expressed as a ratio of net mass or number of seeds;

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]

(6) On the basis of § 32 of the "Plant Propagation and Variety Protection Act", the label of the producer of the seed marketed for production testing shall include:

1) seed batch number;

2) the month and year of closing the package;

- 3) species name in Latin and Estonian;
 - 4) breeding number, variety name proposal or approved variety name, and the number of the application submitted for taking the variety sheet, if it exists;
 - 5) the words "The variety is not included in the variety sheet";
 - 6) the words "Only for production tests";
 - 7) in the case of a genetically modified variety, the words "Genetically modified variety";
 - 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;
 - 10) 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]

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

When marketing a quantity of seeds over two kilograms imported from a non-EU country, the following shall be indicated on the label or on the manufacturer's document:

- 1) the species name in Latin and Estonian (can be given in abbreviated form and without authors' names);
- 2) variety name in Latin letters;
- 3) category;
- 4) the name of the certification body and the name of the country of manufacture or its designation;
- 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 uncertified seed produced in another Member State or a country recognized as equivalent shall include:

- 1) the name of the competent authority responsible for field certification and the name of the Member State 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) seed category and its abbreviation;
- 6) declared net or gross weight;
- 7) the words «Not yet certified seed».

(2) The accompanying document for uncertified seed produced in another Member State or a country recognized as equivalent is a document certifying field recognition, on which the following is indicated:

- 1) the name of the competent authority that issued the document and the name of the Member State 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) seed 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 name of the country or the names of the 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) laboratory preliminary analysis data, if required;
- 10) certificate from the certification body that the requirements for field recognition have been met.

§ 23. Label validity period

(1) The label of a lot of Superelite, Elite and certified vegetable seeds 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 vegetable 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 vegetable seed is checked by taking a repeat sample of the seed germination.

(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. An indication of this is made on the label according to § 19 subsection 1 point 14.

(5) In case of repackaging, new labels are issued, and the date of closure of the initial sales package is indicated on the label as the date of closure of the sales package.

Chapter 5 SEED MARKETING OF VEGETABLE CROPS

§ 24. Marketing requirements

(1) It is allowed to market the certified and compliant seed of the variety included in the variety sheet or the European Union's unified vegetable crop variety sheet, or in the case provided in the legislation, non-compliant seed or standard seed that meets the quality requirements.

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

(2) Industrial chicory (*Cichorium intybus* L.) seed may only be marketed as certified seed.

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

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

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(3) It is allowed to market super-elite or elite seed that does not meet the requirements for germination specified in subsection 13 (4) if its label contains information about the actual germination of the seed or if the distributor supplies the sales package with a label indicating the lot number, the name and address of the distributor, and the information about the seed about germination.

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

(4) The seed lot that is not fully certified shall be equipped with the color established in § 18 subsection 2 and the label specified in § 22 and with a document certifying field recognition.

(5) Conservation variety seed and conservation variety standard seed are marketed in the quantity specified in Appendix 5.

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

(6) The seed of a variety bred for cultivation under special conditions is marketed only in EU small packaging established on the basis

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of § 14 (2) .

[RT I, 05.01.2011, 2 - enters into force. 08.01.2011]

(7) A seed mixture of different varieties of the same species of vegetable crops mentioned in Section 2 may be marketed only if each component of the seed mixture meets the quality requirements established for standard seed, the seed mixture is packed in EU small packaging established on the basis of § 14 (2), is sealed in accordance with § 14 (3) and labeled in accordance with § 17 .

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

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5 . chapter

PRODUCTION AND MARKETING OF ORGANIC HETEROGENEOUS SEED OF VEGETABLE CROPS

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

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§ 24 . 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]

§ 25. Frequency and extent 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 field certification performed by a field certification operator with a field certification license 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

APPLICATION PROVISIONS

§ 26. Implementation of the regulation

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

(2) The regulation is applied retroactively from May 1, 2006.

(3) Packaged seed of vegetable 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.

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

(4) Common tomato seed whose label or package bears the Latin species name *Lycopersicon esculentum* Mill. may be marketed until the end of the validity period of the label or until the marketing deadline indicated on it, or until the packages or packaged seeds run out.

[RT I, 28.02.2014, 4 - enters into force. 31.03.2014]

Council Directive 2002/55/EC on the marketing of vegetable seeds (OJ L 193, 20.07.2002, pp. 33–59), amended by Regulation (EC) No. 1829/2003 (OJ L 268, 18.10.2003, pp. 1–23) and with directives 2003/61/EC (OJ L 165, 03.07.2003, pp. 23–28), 2004/117/EC (OJ L 14, 18.01.2005, pp. 18–33), 2006/124/EC (OJ L 339, 06.12.2006, pp. 12–15), 2009/74/EC (OJ L 166, 27.06.2009, pp. 40–70), 2013/45/EU (OJ L 213, 08.08.2013, pp. 20–21), (EU) 2019/990 (OJ L 160, 18.06.2019, pp. 14–22), (EU) 2020/177 (OJ L 41, 13.02.2020, pp. 1–77), (EL) 2020/432 (OJ L 88, 24.03.2020, pp. 3–7) and (EL) 2021/971 (OJ L 214, 17.06.2021, p. 62) -65); Commission Directive 2009/145/EC providing for certain exemptions for the approval of public selection varieties and varieties of vegetables traditionally grown in certain localities and regions and at risk of genetic erosion, and of vegetable varieties which have no real value in the industrial production of crops but which have been bred to grow under special conditions, and for marketing the seeds of the national selection varieties and varieties in question (OJ L 312, 27.11.2009, pp. 44–54), 2013/45/EU (OJ L 213, 08.08.2013, pp. 20–21), 2016/317/EU (OJ L 60, 05.03.2016, pp. 72–75).

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

Appendix 1 Seed quality requirements for vegetable crops

[RT I, 05.06.2020, 1 - entered into force. 01.07.2020]

Appendix 2 Content and form requirements of the seed certificate

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

Appendix 3 Seed sample sizes

[RT I, 05.06.2020, 1 - entry into force. 01.07.2020]

Appendix 4 Application form for obtaining a packaging permit

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

Appendix 5 Permitted quantities of storage variety seed and storage variety standard seed to be marketed

[RT I, 05.06.2020, 1 - entered into force. 01.07.2020]

Appendix 6 List of plant pests that reduce the quality of the seed of vegetable crops and the permitted limits of their presence

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