

COMMISSION DIRECTIVE 2004/29/EC
of 4 March 2004

on determining the characteristics and minimum conditions for inspecting vine varieties

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine ⁽¹⁾, as last amended by Directive 2003/61/EC ⁽²⁾, and in particular Article 5d(2) thereof,

Whereas:

- (1) Commission Directive 72/169/EEC of 14 April 1972 on determining the characteristics and minimum conditions for inspecting vine varieties ⁽³⁾ has been substantially amended ⁽⁴⁾. In the interests of clarity and rationality the said Directive should be codified.
- (2) In accordance with the provisions of Directive 68/193/EEC, Member States are obliged to compile a catalogue of the varieties accepted for certification and inspection of standard propagation material in their territory.
- (3) The acceptance of varieties is subject to Community conditions which should be enforced by means of official inspections and in particular by crop inspections.
- (4) The inspections should cover a sufficient number of characteristics to enable the varieties to be described.
- (5) The minimum characteristics which have to undergo inspection should be determined at Community level.
- (6) Moreover, the minimum conditions for carrying out the inspections should be laid down.
- (7) These characteristics and minimum conditions for inspection should be laid down in the light of the present state of scientific and technical knowledge.
- (8) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry.
- (9) This Directive should be without prejudice to the obligations of the Member States relating to the time limits for transposition into national law of the directives set out in Annex III, part B,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Member States shall provide that official inspections carried out for the acceptance of vine varieties shall cover at least the characteristics listed in Annex I.

They shall ensure that the minimum conditions listed in Annex II are fulfilled at the time of the inspections.

Article 2

Directive 72/169/EEC, as amended by the Directive listed in Annex III, part A, is repealed, without prejudice to the obligations of the Member States relating to the time limits for transposition into national law of the Directives set out in Annex III, part B.

References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex IV.

Article 3

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 4 March 2004.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 93, 17.4.1968, p. 15.

⁽²⁾ OJ L 165, 3.7.2003, p. 23.

⁽³⁾ OJ L 103, 2.5.1972, p. 25.

⁽⁴⁾ See Annex III, part A.

ANNEX I

PART A

MORPHOLOGICAL CHARACTERISTICS CONSIDERED IN THE EXAMINATION FOR DISTINCTIVENESS, STABILITY AND HOMOGENEITY

1. LEAF-BUD FORMATION ON A GROWING BRANCH 10 TO 20 CM LONG
 - 1.1. shape
 - 1.2. colour (on opening to allow observation of the anthocyanins)
 - 1.3. pilosity
2. HERBACEOUS BRANCH AT TIME OF FLOWERING
 - 2.1. transversal cross-section (shape and contour)
 - 2.2. pilosity
3. LIGNEOUS SHOOT
 - 3.1. surface
 - 3.2. merithallus
4. DISTRIBUTION OF TENDRILS
5. YOUNG LEAVES AT THE TOP ON A GROWING BRANCH 10 TO 30 CM LONG (FIRST THREE LEAVES CLEAR OF THE LEAF-BUD FORMATION, COUNTED FROM THAT POINT)
 - 5.1. colour
 - 5.2. pilosity
6. MATURE LEAF (SITUATED BETWEEN THE EIGHTH AND THE 11TH NODE)
 - 6.1. photograph
 - 6.2. drawing or direct print with scale
 - 6.3. general shape
 - 6.4. number of foliar lobes
 - 6.5. petiolar sinus
 - 6.6. depth of the upper and lower lateral sinus
 - 6.7. pilosity of the lower surface
 - 6.8. surface
 - 6.9. lateral serration
7. FLOWER
 - apparent sex
8. BUNCH OF GRAPES AT INDUSTRIAL MATURITY (AS REGARDS WINE GRAPE VARIETIES AND TABLE GRAPE VARIETIES)
 - 8.1. photograph (with scale)
 - 8.2. shape
 - 8.3. size
 - 8.4. peduncle (length)
 - 8.5. average weight in grammes
 - 8.6. picking off
 - 8.7. compactness of bunch

9. BERRY AT INDUSTRIAL MATURITY (AS REGARDS WINE GRAPE AND TABLE GRAPE VARIETIES)

- 9.1. photograph (with scale)
- 9.2. shape
- 9.3. shape with indication of average weight
- 9.4. colour
- 9.5. skin (as regards table grape varieties)
- 9.6. number of pips (as regards table grape varieties)
- 9.7. pulp
- 9.8. juice
- 9.9. flavour

10. SEED (AS REGARDS WINE GRAPE AND TABLE GRAPE VARIETIES)

photograph of the two sides and the profile (with scale).

PART B

**PHYSIOLOGICAL CHARACTERISTICS CONSIDERED IN THE EXAMINATION FOR DISTINCTIVENESS,
STABILITY AND HOMOGENEITY**

1. VEGETATIVE PHENOMENA

1.1. **Establishment of phenological dates**

The phenological dates are established in comparison with one or more of the control varieties.

- 1.1.1. *as regards Germany*
 - 1.1.1.1. white grape varieties — Weißer Riesling, Weißer Gutedel, Müller-Thurgau
 - 1.1.1.2. black grape varieties — Blauer Spätburgunder
- 1.1.2. *as regards Greece*
 - 1.1.2.1. white grape varieties — Savatiano, Zoumiatiko, Vilana, Assyrtiko, Chardonnay
 - 1.1.2.2. black grape varieties — Mandilaria, Xynomavro, Cabernet Sauvignon, Korinthiaki
 - 1.1.2.3. table grape varieties — Razaki, Cardinal, Italia, Soultanina, Perlette
- 1.1.3. *as regards Spain*
 - 1.1.3.1. white grape varieties — Airen, Palomino, Pedro Ximénez, Viura-Macabeo
 - 1.1.3.2. black grape varieties — Bobal, Garnacha, Mazuela, Tempranillo
 - 1.1.3.3. table grape varieties — Moscatel, Roseti, Aledo, Ohanes
- 1.1.4. *as regards France*
 - 1.1.4.1. white grape varieties — Riesling, Chasselas blanc, Müller Thurgau, Sauvignon, Ugni blanc
 - 1.1.4.2. black grape varieties — Pinot noir, Gamay, Merlot, Cabernet, Sauvignon, Carignan, Grenache noir
 - 1.1.4.3. table grape varieties — Cardinal rouge, Chasselas blanc, Alphonse Lavallée, Servant blanc
- 1.1.5. *as regards Italy*
 - 1.1.5.1. white grape varieties — Trebbiano toscano, Pinot bianco, Chasselas dorato
 - 1.1.5.2. black grape varieties — Barbera, Merlot, Sangiovese
 - 1.1.5.3. table grape varieties — Regina, Chasselas dorato, Cardinal
- 1.1.6. *as regards Luxembourg*
 - white grape varieties — Riesling, Müller-Thurgau.

- 1.2. **Date of opening**
Date on which half the eyes of a normally pruned vine have burst open, showing their internal pilosity in relation to that of control varieties:
 - 1.3. **Date of full flowering**
Date on which for a certain number of plants half the flowers are open compared with control varieties.
 - 1.4. **Maturity (as regards wine grape varieties and table grape varieties)**
In addition to the period of maturity an indication should be given of the density or probable degree of the must, its acidity and the corresponding yield of grapes expressed in kilogrammes per hectare, compared with one or more control varieties, giving if possible yields of a similar size.
 2. CULTIVATION CHARACTERISTICS
 - 2.1. **Vigour**
 - 2.2. **Habit of growth (position of first fruit-bearing bud, preferred size)**
 - 2.3. **Production**
 - 2.3.1. regularity
 - 2.3.2. yield
 - 2.3.3. anomalies
 - 2.4. **Resistance or sensitivity**
 - 2.4.1. to unfavourable conditions
 - 2.4.2. to pests
 - 2.4.3. proneness to bursting of the grape
 - 2.5. **Behaviour during vegetative propagation**
 - 2.5.1. grafting
 - 2.5.2. propagation by cuttings
 3. UTILISATION
 - 3.1. for wine grapes
 - 3.2. for table grapes
 - 3.3. as root stocks
 - 3.4. for industrial uses.
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ANNEX II

MINIMUM CONDITIONS FOR CARRYING OUT INSPECTIONS

1. ECOLOGICAL INFORMATION
 - 1.1. place
 - 1.2. **geographical conditions**
 - 1.2.1. longitude
 - 1.2.2. latitude
 - 1.2.3. altitude
 - 1.2.4. exposure and slope
 - 1.3. climatic conditions
 - 1.4. type of soil
2. TECHNICAL PROCEDURE
 - 2.1. **For wine grapes and table grapes**
 - 2.1.1. 24 vines if possible on several different root stocks
 - 2.1.2. at least three years of production
 - 2.1.3. at least two places having differing ecological conditions
 - 2.1.4. the taking of the graft should be examined with at least three varieties of root stock
 - 2.2. **For root stock varieties**
 - 2.2.1. five vines with at least two forms of growth habits
 - 2.2.2. five years after planting
 - 2.2.3. three places having different ecological conditions
 - 2.2.4. the taking of the graft should be examined with at least three varieties of scion.

ANNEX III

PART A

Repealed Directive with its amendment

(referred to in Article 2)

- Commission Directive 72/169/EEC (OJ L 103, 2.5.1972, p. 25)
- Commission Directive 86/267/EEC (OJ L 169, 26.6.1986, p. 46)

PART B

List of time limits for transposition into national law

(referred to in Article 2)

Directive	Time limit for transposition
72/169/EEC	1 July 1972
86/267/EEC	1 January 1987

ANNEX IV

CORRELATION TABLE

Directive 72/169/EEC	This Directive
Article 1	Article 1
Article 2	—
—	Article 2
—	Article 3
Article 3	Article 4
Annex I part A	Annex I part A
Annex I part B point 1.1	Annex I part B point 1.1
Annex I part B point 1.1.1	Annex I part B point 1.1.1
Annex I part B point 1.1.1a	Annex I part B point 1.1.2
Annex I part B point 1.1.1a.1	Annex I part B point 1.1.2.1
Annex I part B point 1.1.1a.2	Annex I part B point 1.1.2.2
Annex I part B point 1.1.1a.3	Annex I part B point 1.1.2.3
Annex I part B point 1.1.1b	Annex I part B point 1.1.3
Annex I part B point 1.1.1b.1	Annex I part B point 1.1.3.1
Annex I part B point 1.1.1b.2	Annex I part B point 1.1.3.2
Annex I part B point 1.1.1b.3	Annex I part B point 1.1.3.3
Annex I part B point 1.1.2	Annex I part B point 1.1.4
Annex I part B point 1.1.2.1	Annex I part B point 1.1.4.1
Annex I part B point 1.1.2.2	Annex I part B point 1.1.4.2
Annex I part B point 1.1.2.3	Annex I part B point 1.1.4.3
Annex I part B point 1.1.3	Annex I part B point 1.1.5
Annex I part B point 1.1.3.1	Annex I part B point 1.1.5.1
Annex I part B point 1.1.3.2	Annex I part B point 1.1.5.2
Annex I part B point 1.1.3.3	Annex I part B point 1.1.5.3
Annex I part B point 1.1.4	Annex I part B point 1.1.6
Annex I part B point 1.2	Annex I part B point 1.2
Annex I part B point 1.3	Annex I part B point 1.3
Annex I part B point 1.4	Annex I, part B point 1.4
Annex I part B points 2 and 3	Annex I part B points 2 and 3
Annex II	Annex II
—	Annex III
—	Annex IV