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Republic of Latvia

Cabinet

Regulation No. 900

Adopted 18 December 2007

## **Procedures for the Issuance of a Temporary Permit to Market Seeds which do not Conform to the Minimum Germination Requirements**

*Issued pursuant to  
Section 16, Paragraph two of  
the Seed Circulation Law*

1. These Regulations prescribe the procedures by which temporary permits for the marketing of seeds, which do not conform to the minimum germination requirements specified in the regulatory enactments regulating seed growing and seed marketing, are issued in accordance with Commission Regulation (EC) No. 217/2006 of 8 February 2006 laying down rules for the application of Council Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC and 2002/57/EC as regards the authorisation of Member States to permit temporarily the marketing of seed not satisfying the requirements in respect of minimum germination (hereinafter – permit).
2. These Regulations shall not apply to seeds of the pre-basic and basic category.
3. A permit shall be issued by the State Plant Protection Service (hereinafter – Service) if temporary difficulties in the seed supply have occurred and there is a lack of fodder plant, crop, beet, vegetable, oil plant and fibre plant seeds in Latvia.
4. In order to receive a permit, a person registered in the Seed Grower and Seed Trader Register of the State Information System for Monitoring of Agricultural Plants under the supervision of the Service (hereinafter – person) shall submit a submission to the Service. The following information shall be indicated in the submission:
  - 4.1. the responsible institution – the State Plant Protection Service;
  - 4.2. the name, address, telephone number of the seed grower, processor, packer or trader and registration code thereof in the Seed Grower and Seed Trader Register;
  - 4.3. species;
  - 4.4. variety;
  - 4.5. the number of the seed lot;
  - 4.6. the volume of the seed lot;
  - 4.7. the actual seed germination power (%);
  - 4.8. the number of the results of the seed assessment; and

4.9. the date of submission, the signature of the submitter (the referred to requisites of the document shall not be filled in if the document is prepared in accordance with regulatory enactments regarding drawing up of electronic documents).

5. A person shall submit a submission to the Service:

5.1. regarding a fodder plant, spring cereal crop, beet, vegetable, oil plant (except winter Swede rape and winter turnip rape) and fibre plant seeds – until 1 March of the current year;

5.2. regarding winter Swede rape and winter turnip rape seeds – until 1 August of the current year; and

5.3. regarding a winter cereal crop seeds – until 5 September of the current year.

6. The Service shall summarize the submitted information within three working days after the term specified in Paragraph 5 of these Regulations and electronically notify the National Plant Variety Council, indicating the total number of submissions in the division according to the species and varieties, and volumes, as well as the actual germination power of the seed (for a winter cereal crop – the admissible viability).

7. The National Plant Variety Council, within five working days after receipt of the information of the Service, shall assess the provision with the variety seed and the necessary volume of the variety seed in the market of Latvia, as well as the properties of the growing and utilisation of the variety and submit proposals to the Service regarding:

7.1. the minimum germination power of seed;

7.2. the volumes of seed;

7.3. the reasons which have affected the insufficient provision of the market of Latvia with seed of the respective variety (indicating regions where appropriate);

7.4. the time period for which a permit is requested; and

7.5. the possibilities of the substitution of a variety.

8. The Service, on the basis of a submission of a person and proposals of the National Plant Variety Council, shall take a decision regarding the insufficient provision of the market of Latvia with the seed of the respective variety within a time period of three working days after receipt of the proposals of the National Plant Variety Council and send a submission to the European Commission and the competent authorities of the European Union Member States pursuant to Article 2(1) of the Commission Regulation No. 217/2006.

9. If an offer of seeds from a competent authority of another European Union Member State has been received, the Service shall:

9.1. examine it according to the sequence of submission (in chronological order);

9.2. take a decision regarding conformity of a variety if another variety is offered;

9.3. inform the European Commission and the competent authorities of the European Union Member States pursuant to Commission Regulation No. 217/2006.

10. After receipt of a decision of the European Commission regarding the submission referred to in Paragraph 8 of these Regulations the Service shall:

10.1. take a decision regarding issuance of a temporary permit to market seeds which do not conform to the minimum germination requirements;

10.2. notify the person regarding the decision within a time period of three working days; and

10.3. if a favourable decision has been taken, a seed certificate shall be issued to the person in accordance with the regulatory enactments regarding seed growing and seed marketing and on the basis of reports on the assessment results of the seed issued by the Service. An additional indication regarding the reduced germination power of the seeds shall be included in the seed certificate. The term of the seed certificate shall conform to the term indicated in Sub-paragraph 7.4 of these Regulations.

11. If the European Commission grants a permit to a smaller volume of seed than requested for the respective variety, the Service shall:

11.1. issue permits beginning with the lots which have the highest seed germination power; or

11.2. if two or several seed lots have the same germination power, but the permitted volume of seed is smaller than the total mass of these lots, a permit shall be issued to the lot (lots) with the highest purity indicators.

12. The permitted seed lots shall be labelled in accordance with the regulatory enactments regarding seed growing and seed marketing. The label shall include an additional reference regarding the actual germination power, as well as a reference “Sēklas ar pazeminātu dīgspēju” [seed with reduced germination power].

13. When the Service has received information from the competent authority of a European Union Member State, which has submitted a submission regarding receipt of a permit to the European Commission, it shall, within two working days, send the information electronically to the seed production organisation.

14. The seed production organisation shall, within seven working days, submit information to the Service regarding the particular seed volume which is available for export and trade in the Member State referred to in Paragraph 13 of these Regulations, and the Service shall notify the European Commission and the competent authorities of the European Union Member States pursuant to Commission Regulation No. 217/2006.

Prime Minister

A. Kalvītis

Acting for the Minister for Agriculture –  
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R. Vējonis