

EN
ANNEX

Annexes I and II to Directive 66/402/EEC are amended as follows:

(1) Annex I is amended as follows:

(a) the first sentence of point 5 is replaced by the following:

‘Crops to produce certified seed of hybrids of *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Oryza sativa* and self-pollinating *xTriticosecale* and crops to produce certified seed of hybrids of *Hordeum vulgare*, *Triticum aestivum* subsp. *aestivum*, *Triticum aestivum* subsp. *spelta*, *Triticum turgidum* subsp. *durum*, by means of a technique other than Cytoplasmic Male Sterility (‘CMS’);’

(b) the following point is inserted between points 5a and 6:

‘5b. Crops to produce basic and certified seed of hybrids of *Triticum aestivum* subsp. *aestivum*, *Triticum aestivum* subsp. *spelta*, *Triticum turgidum* subsp. *durum* by means of CMS:

(a) The crop shall conform to the following standards as regards distances from neighboring sources of pollen, which may result in undesirable foreign pollination:

| Crop | Minimum distance |
|---|------------------|
| For the CMS female component for the production of basic seed | 300 m |
| For the production of certified seed | 25 m |

;

(b) The crop shall have sufficient varietal identity and purity as regards the characteristics of the components.

In particular, the crop shall conform to the following standards:

(i) The percentage by number of plants, which are obviously not true to type, shall not exceed:

- for the crops used to produce basic seed, 0,1 % for the maintainer and the restorer line and 0,3 % for the CMS female component;
- for the crops used to produce certified seed, 0,3 % for the restorer and 0,6 % for the CMS female component and 1 % in case the CMS female component is a single hybrid.

(ii) The level of male sterility of the female component shall be at least:

- 99,7 % for crops used to produce basic seed;

– 99 % for crops used to produce certified seed.

(iii) The conformity with the requirements of points (i) and (ii) shall be examined by official post control test.

(c) Certified seed may be produced in mixed cultivation of a female male-sterile component with a male component, which restores fertility.

The responsible certification authority shall report by 28 February of each year to the Commission and the other Member States the results of the preceding year concerning the quantity of produced hybrid seeds, compliance of the field inspections with the respective requirements, the percentage of seed lots, which have been rejected due to insufficient quality parameters, and any further information justifying that rejection. This reporting obligation shall be applicable until 28 February 2030.'

(2) Point 1 of Annex II is amended as follows:

(a) Section C is replaced by the following:

'C. Hybrids of *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Hordeum vulgare*, *Oryza sativa*, *Triticum aestivum* subsp. *aestivum*, *Triticum aestivum* subsp. *spelta*, *Triticum turgidum* subsp. *durum* and self-pollinating *xTriticosecale*

The minimum varietal purity of the seed of the category certified seed shall be 90 %.

In case of *Hordeum vulgare*, *Triticum aestivum* subsp. *aestivum*, *Triticum aestivum* subsp. *spelta*, *Triticum turgidum* subsp. *durum* produced by means of CMS, it shall be 85 %. Impurities other than the restorer shall not exceed 2%.

The minimum varietal purity shall be examined in official post control test on an appropriate proportion of samples.

The responsible certification authority shall report by 28 February of each year to the Commission and the other Member States the results of the preceding year concerning the quantity of produced hybrid seeds of *Triticum aestivum* subsp. *aestivum*, *Triticum aestivum* subsp. *spelta* and *Triticum turgidum* subsp. *durum*, and the percentage of seed lots which have been rejected due to insufficient quality parameters, results of the post-control test and any further information justifying that rejection. This reporting obligation shall be applicable until 28 February 2030.'

(b) The heading of Section E is replaced by the following:

'E. Hybrids of *Secale cereale* and CMS-hybrids of *Hordeum vulgare*, *Triticum aestivum* subsp. *aestivum*, *Triticum aestivum* subsp. *spelta*, *Triticum turgidum* subsp. *durum*'