

REGULATION No. 100 OF 18.08.2006 ON THE MARKETING OF SEED OF OIL AND FIBRE PLANTS WITHIN THE EUROPEAN UNION

Effective date 1 January 2007

Issued by the Minister of Agriculture and Forestry

*Promulgated, SG No. 77 of 19 September 09.2006, amended, SG No. 11 of 2 February 2007, amended, SG No. 49 of 30 June 2009, amended, SG No. 41 of 1 June 2010, amended and supplemented, SG No. 102 of 23 December 2016, amended, SG No. 30 of 9 April 2019, **amended and supplemented, SG No. 57 of 26 June 2020***

Chapter One GENERAL PROVISIONS

Article 1. (1) This Regulation shall apply to:

1. the categories of seed of oil and fibre plants which is marketed on the market of the European Union (EU);
2. the control of seed by the official authorities for the purposes of certification and/or approval of commercial seed; the activities carried out under the supervision of the official authorities;
3. the conditions under which the seed is placed on the market;
4. the requirements to seed for the purposes of certification or approval as commercial seed, packaging and labelling;
5. the conditions for post-control;
6. the marketing of seed that is not finally certified;
7. the importation of seed from third countries;
8. the marketing of seed produced under particular conditions; seed of particular designation;
9. the control of the seed placed on the market.

(2) This Regulation shall apply to seed of the species of oil and fibre plants listed in Annex No. 1 which are intended for seed production and/or production of agricultural crops, except for the production for ornamental purposes.

Article 2. This Regulation shall not apply to oil and fibre plants seed for export to third countries.

Chapter Two CATEGORIES OF SEED

Article 3. (1) Oil and fibre plant seeds, depending on the species, shall be produced and certified in the following categories:

1. basic seed;
2. certified seed;
3. certified seed, first generation;
4. certified seed, second generation;
5. certified seed, third generation.

(2) The oil and fibre plant seed referred to in Article 16(3) may be certified in the relevant categories referred to in paragraph 1 and produced and approved as commercial seed.

Article 4. (1) Basic seed of varieties of oil and fibre plants other than hybrids is the seed which:

1. has been produced under the responsibility and supervision of the persons under Article 26 of the Seed and Propagating Material Act (SPMA) according to accepted methods and practices for the maintenance of the variety;

2. is intended for the production of seed either of the category ‘certified seed’ or of the categories ‘certified seed, first generation’ or ‘certified seed, second generation’ or, where appropriate, ‘certified seed, third generation’;

3. complies with the requirements to basic seed laid down in Annexes Nos. 2 and 3 and to which the requirements laid down in Article 20 may be applicable;

4. has been found on examination by the official authorities referred to in Article 9 that it satisfies the conditions laid down in subparagraphs 1 to 3; the compliance with the requirements laid down in Annex No. 3 which is established by laboratory testing, may also be checked in a laboratory referred to in Article 10(2) under the supervision of the official authorities.

(2) Basic seed, hybrid components, is the seed which:

1. is basic seed of inbred lines:

(a) which complies with the requirements to basic seed laid down in Annexes Nos. 2 and 3 and to which the requirements under Article 20 may be applicable;

(b) which has been found on examination by the official authorities under Article 9 that it satisfies the conditions laid down in subparagraph (a); the compliance with the requirements laid down in Annex No. 3, which is established by laboratory testing, may also be checked in a laboratory referred to in Article 10(2) under the supervision of the official authorities.

2. Basic seed, simple hybrids, is the seed which :

(a) is intended for the production of triple-line hybrids or double (quadruple-line) hybrids;

(b) complies with the requirements to basic seed laid down in Annexes Nos. 2 and 3 and to which the requirements under Article 20 may be applicable;

(c) has been found on examination by the official authorities referred to in Article 9 that it satisfies the conditions laid down in subparagraphs (a) and (b); the compliance with the requirements laid down in Annex No. 3, which is established by laboratory testing, may also be checked in a laboratory referred to in Article 10(2) under the supervision of the official authorities.

Article 5. (1) Certified seed – turnip rape, brown mustard, swede rape, dioecious hemp, safflower, black mustard, caraway, sunflower, opium poppy, white mustard - is the seed which:

1. (Amended, SG No. 11/2007, effective date 1.01.2007) has been produced directly from basic seed or from pre-basic seed referred to in Article 8 at the request of the breeder applying for certification, which has been found on examination by the official authorities referred to in Article 9 to satisfy the conditions laid down for basic seed in Annexes Nos. 2 and 3;

2. is intended for purposes other than the production of seed of oil and fibre plants;

3. complies with the requirements to certified seed laid down in Annexes Nos. 2 and 3 and to which the requirements under Article 20(1)(2) may be applicable;

4. has been found on examination by the official authorities referred to in Article 9 or by natural persons (inspectors) and/or the laboratories referred to in Article 10 under the supervision of the official authorities that it satisfies the conditions laid down in subparagraphs 1 to 3.

(2) Certified seed, first generation – groundnut, monoecious hemp, flax, linseed, soya, cotton – is the seed which:

1. (Amended, SG No. 11/2007, effective date 1.01.2007) has been produced directly from basic seed or from pre-basic seed referred to in Article 8 at the request of the breeder applying for certification, which has been found on examination by the official authorities referred to in Article 9 to satisfy the conditions laid down for basic seed in Annexes Nos. 2 and 3;

2. is intended for the production of seed either of the category ‘certified seed, second generation’ or, where appropriate, ‘certified seed, third generation’, or for purposes other than the production of seed of oil and fibre plants;

3. satisfies the conditions laid down in Annexes Nos. 2 and 3 for certified seed;

4. has been found on examination by the official authorities referred to in Article 9 or by natural persons (inspectors) and/or the laboratories referred to in Article 10 under the supervision of the official authorities that it satisfies the conditions laid down in subparagraphs 1 to 3.

(3) Certified seed, second generation – groundnut, flax, linseed, soya, cotton – is the seed which:

1. (Amended, SG No. 11/2007, effective date 1.01.2007) has been produced directly from basic seed or from seed of a generation prior to basic seed under Article 8 at the request of the breeder applying for certification, which has been found on examination by the official authorities under Article 9 to satisfy the conditions laid down for basic seed in Annexes Nos. 2 and 3;
2. is intended for purposes other than the production of seed of oil and fibre plants or, where appropriate, for the production of ‘certified seed, third generation’;
3. satisfies the conditions laid down in Annexes Nos. 2 and 3 for certified seed;
4. has been found on examination by the official authorities referred to in Article 9 or by natural persons (inspectors) and/or the laboratories referred to in Article 10 under the supervision of the official authorities that it satisfies the conditions laid down in subparagraphs 1 to 3.

(4) Certified seed, second generation – monoecius hemp – is the seed which:

1. has been produced directly from certified seed of the first generation which has been established and officially controlled with a special view to the production of certified seed of the second generation;
2. is intended for the production of hemp to be harvested in flower;
3. satisfies the conditions laid down in Annexes Nos. 2 and 3 for certified seed;
4. has been found on examination by the official authorities referred to in Article 9 or by natural persons (inspectors) and/or the laboratories referred to in Article 10 under the supervision of the official authorities that it satisfies the conditions laid down in subparagraphs 1 to 3.

(5) Certified seed, third generation – flax and linseed – is the seed which:

1. (Amended, SG No. 11/2007, effective data 1.01.2007) is of direct descent from basic seed, from certified seed of the first or second generation or, if the breeder so requests, from seed of a generation prior to basic seed under Article 8 and which can satisfy and has been found by official examination by the authorities under Article 9 to satisfy the conditions laid down in Annexes Nos. 2 and 3 for basic seed;
2. is intended for purposes other than the production of seed of oil and fibre plants;
3. satisfies the conditions laid down in Annexes Nos. 2 and 3 for certified seed;
4. has been found on examination by the official authorities referred to in Article 9 or by natural persons (inspectors) and/or the laboratories referred to in Article 10 under the supervision of the official authorities that it satisfies the conditions laid down in subparagraphs 1 to 3.

Article 6. Commercial seed is the seed which:

1. can be identified as belonging to a species;
2. complies with the requirements to commercial seed laid down in Annex No. 3 and to which the requirements under Article 20(1)(2) may be applicable;
3. has been found on examination by the official authorities under Article 9 or on testing by a laboratory referred to in Article 10 under the supervision of the official authorities that it satisfies the conditions laid down in subparagraphs 1 and 2.

Article 7. (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 30/2019, effective date 9.04.2019) Seed of monoecius hemp in the categories referred to in Article 4 and Article 5(2) and (4) may be produced and certified only if the producer has been issued authorisation by the Minister of Agriculture, Food and Forestry for the production of hemp seed containing less than 0.2 percent of tetrahydrocannabinol by dry weight pursuant to Regulation No. 1 of 2018 setting out the conditions and procedure for the authorisation of the growing of plants of the hemp (cannabis) species for fibre, feed and food seed or breeder seed containing less than 0.2 percent of tetrahydrocannabinol by dry weight in the leaves, flower buds and fruit buds for marketing and control (SG No. 25/2018), where an application for hemp seed has been submitted.

Article 8. The seed of a generation prior to basic seed of the breeder of the variety shall be certified in the category of pre-basic seed in accordance with the conditions for basic seed in the cases referred to in Articles 5 and 18.

Chapter Three
SEED CONTROL BY THE OFFICIAL AUTHORITIES FOR THE PURPOSES
OF CERTIFICATION AND/OR APPROVAL OF COMMERCIAL SEED.
ACTIVITIES OF NATURAL AND LEGAL PERSONS UNDER THE SUPERVISION
OF THE OFFICIAL AUTHORITIES

Article 9. (1) (Amended, SG No. 102/2016, effective date 23.12.2016) In the Republic of Bulgaria, seed control shall be performed by the Executive Agency for Plant Variety Testing, Field Inspection and Seed Control (IASAS) and by the Bulgarian Food Safety Agency (BFSA) in accordance with Articles 3, 4 and 5 SPMA.

(2) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall carry out certification of seed of oil and fibre plants of the categories of basic seed, certified seed, certified seed of the first generation, certified seed of the second generation, and certified seed of the third generation, as well as approval of commercial seed provided that the following conditions are satisfied:

1. in the case of seed certification, through field inspection of seed crops and laboratory testing of the usefulness of seeds to check their compliance with the requirements laid down in Annexes Nos. 2 and 3;
2. in the case of approval of commercial seed, through examination of the belonging of the seed to the relevant species and laboratory testing of the usefulness of seeds to check their compliance with the requirements laid down in Annexes No. 3.

(3) (Amended, SG No. 102/2016, effective date 23.12.2016) The Bulgarian Food Safety Agency shall perform phytosanitary control of seed of oil and fibre plants in accordance with Regulation No. 8 of 2015 on phytosanitary control (SG No. 19/2015) and provide the results to the IASAS.

Article 10. (1) Field inspections under the supervision of the IASAS may be carried out also by natural persons (inspectors) approved by the Executive Director of the IASAS in accordance with Article 6 SPMA.

(2) (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 30/2019, effective date 9.04.2019) Laboratory testing of the usefulness of seed under the supervision of the IASAS may also be carried out by laboratories approved by the Minister of Agriculture, Food and Forestry in accordance with Article 7(1) SPMA.

Article 11. The persons referred to in Article 10 shall comply with the requirements laid down in Articles 12 and 13 in the implementation of the activities under the supervision of the IASAS provided for in Article 4(1)(4), Article 4(2)(1)(b), Article 4(2)(2)(c), Article 5(1)(4), Article 5(2)(4), Article 5(3)(4), Article 5(5)(4) and Article 6(4).

Article 12. (1) The following requirements shall apply to field inspections carried out under the supervision of the IASAS:

1. Inspectors shall:

- (a) have the requisite qualifications obtained in an exam passed successfully for the conduct of field inspections, which is organised by the IASAS in accordance with Article 6(3) SPMA;
- (b) be authorised by the Executive Director of the IASAS to carry out field inspections in accordance with Article 6 SPMA and have signed a declaration on the observance of inspection rules;
- (c) conduct inspections in accordance with the rules of official inspections laid down in Annex No. 2 and in the method to carry out field inspection of cereal, fodder, oil and fibre plants,

beetroot, tobacco, potatoes, ornamental plants, medicinal plants and aromatic plants in accordance with Article 31(6) SPMA.

2. Seed crops to be inspected by the inspectors referred to in subparagraph 1 shall be grown from seed, which has undergone official post-control and has been approved;

3. IASAS inspectors shall check at least 5% of the seed crops;

4. A proportion of the lots of seed harvested from the seed crops which have been inspected by the field inspectors referred to in subparagraph 1 shall be subject to post-control (growing trials) and, if necessary, laboratory testing of crops to which such methods are applicable;

5. The IASAS control by the inspectors referred to in subparagraph 1 shall include the measures provided for in subparagraphs 3 and 4, including sudden verification checks of the inspections.

(2) Article 67 SPMA shall apply to the cases of non-compliance with the field inspection rules by the inspectors referred to in paragraph 1, subparagraph 1.

(3) Where infringements at the time of field inspections have led to non-compliance with the requirements for seed certification at a decision of the IASAS, the certification shall be annulled by order of the Executive Director of the IASAS, unless it can be shown that, after the appropriate treatment of crops, such seed still meets all relevant requirements.

Article 13. (1) The following requirements shall apply to the laboratory testing of seed under the supervision of the IASAS:

1. (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 30/2019, effective date 9.04.2019) Seed shall be tested at laboratories which have been approved to carry out laboratory testing for the purposes of certification or approval of commercial seed by the Minister of Agriculture, Food and Forestry in accordance with Articles 7(1), 9 and 10 SPMA;

2. The seed testing laboratory has staff that is qualified to perform the requisite laboratory tests, including a laboratory manager, laboratory premises and laboratory equipment; the laboratory tests seed in accordance with international methods which are specified in the methodology of sampling and testing the purity, germination and absolute weight of the seed crops in accordance with Article 31(8) SPMA;

3. A seed testing laboratory shall be:

(a) an independent laboratory (within the meaning of Article 7(2) SPMA); or

(b) a laboratory owned by a person engaging in seed production and/or seed handling and/or seed marketing;

4. (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 41/2010, effective date 1.06.2010, SG No. 30/2019, effective date 9.04.2019) A laboratory referred to in subparagraph 3, item (b) shall test only seed lots produced by the owner of the laboratory or, in specific cases laid down in an order of the Minister of Agriculture, Food and Forestry at the proposal of the IASAS, seed which has not been produced by the person referred to in subparagraph 3, item (b).

(2) (Supplemented, SG No. 41/2010, effective date 1.06.2010) Laboratories referred to in paragraph 1, subparagraphs 1 and 4 shall be subject to supervision by the IASAS.

(3) For the purposes of the supervision referred to in paragraph 2, at least 5% of the samples of the seed lots declared and sent to the laboratory to examine the seed for the purposes of certification or approval of commercial seed shall be subject to verification of the tests at an IASAS laboratory in accordance with Article 11(1) and (2) of the SPMA.

(4) The samples referred to in paragraph 3 shall be distributed proportionately to the number of samples and the number of species owned by the persons who have submitted an application for certification of the seed to the relevant territorial unit of the IASAS and own the seed tested at a laboratory referred to in paragraph 1, subparagraph 1. The samples subject to verification may include also samples drawn in case of doubt in the performance of the laboratory or alerts of violations pursuant to Article 12(2) SPMA.

(5) Where the seed testing rules and methods are violated by a laboratory referred to in paragraph 1, subparagraph 1, the measures provided for in Articles 11(3) and 12(2) SPMA shall apply.

(6) The certificate of the seed in the cases under paragraph 5 shall be annulled pursuant to Article 11(4) SPMA, except for the cases in which seed continues to satisfy the certification conditions, regardless of the difference between the results obtained at the laboratory referred to in paragraph 1, subparagraph 1 and the results obtained in an IASAS laboratory in the verification process.

(7) The seed referred to in paragraph 6 may be marketed provided that it continues to satisfy the certification process.

(8) Paragraphs 6 and 7 shall also apply to commercial seed.

Article 14. (1) For the laboratory testing of seed for certification or approval of commercial seed and for checking the varietal identity and varietal purity of the seed through post-control, samples shall be drawn from the seed handled in homogeneous lots. For the testing of seed germination and for verification purposes, samples shall be drawn from the remaining available seed.

(2) (Amended, SG No. 11/2007, effective date 1.01.2007) Samples shall be taken by IASAS officials authorised by the Executive Director of the IASAS or persons who have been licensed by the Executive Director of the IASAS and are under the supervision of the IASAS. Automatic sampling may also be carried out under official supervision.

(3) The license referred in paragraph 2 shall be issued to persons with the necessary qualifications obtained in a specialised training course for samplers at the IASAS, who have passed the exam successfully.

(4) The persons referred to in paragraph 2 may be:

1. independent persons who are not employed pursuant to subparagraphs 2 and 3; or
2. persons who are employed by a natural or legal person whose activity is not related to seed production and/or marketing; or
3. persons who are employed by a natural or legal person whose activity is related to seed production and/or marketing.

(5) The Executive Director of the IASAS shall issue a license to a sampler pursuant to paragraph 3 in the format he or she has approved or shall give a refusal with reasons in cases of failure at the exam. Any such refusal shall be subject to appeal in accordance with the Administrative Procedure Code (APC).

(6) (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 30/2019, effective date 9.04.2019) Licensed samplers shall sign a declaration that they will be unbiased and disinterested in the discharge of their duties, abiding by the sampling rules and methods approved by the Minister of Agriculture, Food and Forestry and by the provisions of this Regulation.

(7) The authorisation referred to in paragraph 5 shall specify the status of the sample taker and the scope of his or her sampling activities for the relevant crops and categories.

(8) The samplers referred to in paragraph 4, subparagraph 3 shall draw samples only from seed lots produced and/or marketed by their employers, unless agreed otherwise between the employer, the applicant for certification and the IASAS.

Article 15. (1) Licensed samplers shall operate under the supervision of the IASAS.

(2) For the purposes of the supervision under paragraph 1, the IASAS shall perform annual verification checks of at least 5 percent of the lots from which samples were drawn. Verification checks shall be carried out by official sample takers of the IASAS through parallel drawing of samples from the same lot to check the comparability of the samples drawn by official sample takers and by sample takers under official supervision.

(3) The lots included in the checks referred to in paragraph 2 shall be distributed proportionately to the number of lots and the number of species belonging to the applicants for certification. Lots for which doubt or alerts of violations in the sampling process exist shall also be covered by the checks. This check of samples shall not apply to the cases of automatic sampling.

(4) The portion of the lots of any applicant, which has been included in the 5 percent for the verification check, shall be in direct proportion to the number of lots which the applicant has included in the application for certification and to the number of species.

(5) Where it is established by the verification check referred to in paragraph 2 that the samples do not characterise the seed lot (they are not representative of the lot) and this may lead or has led to laboratory test results which are not reliable for the lot and the actual indicators deviate from the allowable levels laid down in Annex No. 3:

1. the certification/approval process or the certificate/document issued for the lot shall be annulled;
2. the seed lot shall be withdrawn from the market.

(6) Seed may be marketed where the verification checks referred to in paragraph 2 establish that the actual indicators of the lot are different from those of the tested samples drawn by a licensed sampler but they satisfy the conditions laid down in this Regulation.

Chapter Four

CONDITIONS UNDER WHICH SEED IS PLACED ON THE MARKET

Article 16. (1) Depending on the oil and fibre plant species, seed of oil and fibre plants shall be marketed only if certified in the categories of basic seed, certified seed, certified seed of the first generation, certified seed of the second generation, certified seed of the third generation, and/or officially approved as commercial seed.

(2) Seed of the species swede rape, turnip rape, hemp, safflower (saffron), caraway, cotton, sunflower, flax, linseed, brown mustard, white mustard, soya and opium poppy shall be placed on the market only if certified as basic seed or certified seed of the relevant category, depending on the species pursuant to Article 5.

(3) Seed of the species groundnut and black mustard shall be placed on the market provided that it is certified as basic seed or certified seed of the relevant category, depending on the species pursuant to Article 5. and approved as commercial seed.

Article 17. (1) Certified seed may be marketed under the name 'varietal association' consisting of a combination of the components of the future hybrid.

(2) Seed in a varietal association shall be placed on the market provided that the components have been certified in accordance with this Regulation and mechanically combined in proportions jointly determined by the persons responsible for the maintenance of these components.

(3) The components of a varietal association shall be pelleted (encrusted) using dressings of different colours.

(4) The producer shall notify the varietal association and the proportion of its components to the IASAS for certification and control purposes.

Article 18. Seed of the pre-basic seed category may also be placed on the market if it is certified under the conditions for basic seed.

Article 19. (1) Seed which has been approved in a field inspection to ensure their varietal identity and varietal purity and which is to be handled and finally certified may be placed on the market.

(2) The persons who have produced the seed referred to in paragraph 1 shall have a contract with the persons who buy the seed for handling, and the contract shall be made available to the IASAS for the purposes of certification and seed control.

Article 20. (1) (Amended, SG No. 11/2007, effective date 01.01.2007) By way of derogation from the provisions of Articles 4, 5 and 6 for seed produced in the country:

1. (Supplemented, SG, No. 11/2007, effective date 1.01.2007) The Executive Director of the IASAS may authorise the certification and marketing of basic seed of lower germination rate

than the germination rate laid down in Annex No. 3 for the relevant crop in any of the following cases:

(a) germination as established in laboratory testing is not less than:

(aa) (Amended, SG No. 49/2009, effective date 30.06.2009) 60% for crops and categories with minimum germination above 85% in accordance with Annex No. 3;

(bb) (Amended, SG No. 49/2009, effective date 30.06.2009) 55% for crops and categories with minimum germination above 80% but not more than 85% in accordance with Annex No. 3;

(cc) (Amended, SG No. 49/2009, effective date 30.06.2009) 50% for crops and categories with minimum germination above 70% but not more than 80% in accordance with Annex No. 3;

(b) (New, SG No. 49/2009, effective date 30.06.2009) where climatic conditions are unfavourable for seed production or after changes in the seed during its storage it is established that its germination is lower than the rate provided for in this subparagraph, the use of such basic seed may be allowed by way of derogation;

(c) (Ex item (b), SG No. 49/2009, effective date 30.06.2009) the actual germination of the seed is indicated on an adhesive sticker affixed on the official label referred to in Article 31 without covering the particulars thereon and bearing the name and address of the producer and/or trader and the identification number of the seed lot;

(d) (Ex item (c); Amended, SG No. 49/2009, effective date 30.06.2009) The IASAS shall control the conditions provided for in items (a), (b) and (c);

2. (Supplemented, SG No. 11/2007, effective date 1.01.2007) The Executive Director of the IASAS may allow seed to be certified/approved and marketed to the level of first buyer of seed of the categories of basic seed or certified seed of all categories or commercial seed, notwithstanding the fact that the official testing of the seed germination for the purposes of checking the compliance with the requirements laid down in Annex No. 3 has not been finalised, so as to ensure urgent placement of seed on the market or prevention of delays in the supply of seed, where the following conditions are satisfied:

(a) the applicant submits a letter to the IASAS on the need for urgent placement of the seed on the market and the name and address of the first buyer;

(b) the seed is in the process of certification/approval on the basis of a provisional document on the laboratory testing of the seed, which the applicant makes available with the letter referred to in item (a);

(c) for the purposes of marketing the seed pursuant to item (b), the seed germination established in the laboratory tests is declared on the special label, bearing the name and address of the applicant and the identification number of the lot.

(2) The certificate or document provided for in Article 27(2) or (3) shall be issued after the completion of the official testing of the usefulness of the seed to ensure the final certification or approval of commercial seed.

(3) The provisions of paragraph 1 shall not apply to seed imported from third countries, save as otherwise provided in Article 38 in respect of seed propagation outside the territory of the EU Member States.

(4) The Executive Agency for Plant Variety Testing, Field Inspection and Seed Control shall provide administrative assistance to the competent authorities of the Member States making use of the derogations referred to in paragraph 1, which transposes Article 5 of Council Directive 2002/57.

(5) Seed of the categories of certified seed, certified seed of the first generation, certified seed of the second generation and certified seed of the third generation with lower germination than the rate provided for in Annex No. 3 may be marketed in accordance with Commission Regulation (EC) 217/2006 and the relevant EC decision for the country.

Article 21. (1) Seed other than the seed authorised for marketing under Articles 16, 17, 18, 19 and 20 may be marketed within the territory of the Republic of Bulgaria for the following purposes:

1. scientific purposes or selection work, or
2. trial purposes – demonstration and/or production trials – of varieties for which an application for inclusion has been submitted pending their inclusion in the official variety list of the Republic of Bulgaria.

(2) In the cases referred to in paragraph 1, genetically modified seed shall satisfy the conditions laid down in the Genetically Modified Organisms Act with a view to preventing risks to the health of people, animals and plants, the harmful impact of the environment and making an assessment of these factors (in accordance with Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms).

(3) The provisions of Article 7(4) of Regulation No. 77 of 2006 on the procedure for acceptance for entry of new varieties of agricultural plant species in the Official Variety List of the Republic of Bulgaria and the Common Catalogue of the EU Member States (SG No. 51/2006) transposing the provisions of Council Directive 2002/53/EC shall apply to the environmental impact assessment of genetically modified seed.

(4) The authorisation of the marketing of the seed referred to in paragraph 1, subparagraph 2 in terms of designation, packaging, marking and quantities shall be established in accordance with EC Decision 2004/842.

(5) The Executive Director of the IASAS shall issue authorisation to persons within the territory of the country pursuant to paragraph 4 upon the submission of a request in the format approved by the Executive Director of the IASAS. Refusals to issue authorisation shall be subject to appeal in accordance with the Administrative Procedure Code (APC).

Chapter Five

CONDITIONS TO BE SATISFIED BY SEED FOR CERTIFICATION OR APPROVAL AS COMMERCIAL SEED, AND FOR PACKAGING AND LABELLING

Section I

Conditions to be satisfied by seed for certification or approval as commercial seed

Article 22. (1) The Executive Agency for Plant Variety Testing, Field Inspection and Seed Control shall certify seed to establish:

1. the identity, varietal purity and plant health of the crop through a field inspection and/or laboratory testing for which such methods exist; and
2. the usefulness and plant health of the seed through laboratory testing.

(2) The Executive Agency for Plant Variety Testing, Field Inspection and Seed Control shall approve commercial seed to establish:

1. the belonging of the seed to the relevant species, and
2. the usefulness and plant health of the seed through laboratory testing.

Article 23. (1) The persons under Article 28 SPMA shall submit an application for approval of commercial seed in the format approved by the Executive Director of the IASAS.

(2) The description of the genealogical (parent) components shall be kept confidential on request of the applicant (breeder).

Article 24. (1) (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 30/2019, effective date 9.04.2019) Field inspections shall be carried out to establish the compliance of the seed crop with the requirements laid down in Annex No. 2 on the basis of methods approved by the Minister of Agriculture, Food and Forestry pursuant to Article 31(6) SPMA.

(2) The results of the field inspection shall be recorded in a field inspection statement in the format approved by the Executive Director of the IASAS.

Article 25. (1) (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 30/2019, effective date 9.04.2019) Laboratory tests shall be carried out to establish the compliance of the

seed with the requirements laid down in Annex No. 3 on the basis of methods approved by the Minister of Agriculture, Food and Forestry pursuant to Article 31(8) SPMA in accordance with the existing international methods of the International Seed Testing Association (ISTA) referred to in § 1(16) SPMA.

(2) The laboratory which has made the tests shall issue a document with the laboratory test results in the format approved by the Executive Director of the IASAS.

Article 26. (1) For the laboratory testing of seed for certification or approval of commercial seed and for checking the varietal identity and varietal purity of the seed through post-control, samples shall be drawn from seed handled in homogeneous lots.

(2) The maximum lot weight and the minimum sample weight, depending on the species, are laid down in Annex No. 4.

(3) (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 30/2019, effective date 9.04.2019) Sampling pursuant to paragraph 1 shall be carried out on the basis of methods approved by the Minister of Agriculture, Food and Forestry pursuant to Article 31(6) SPMA and in accordance with the existing ISTA methods.

(4) Samplers shall draw up a sampling statement in the format approved by the Executive Director of the IASAS.

Article 27. (1) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall certify the seed which complies with the requirements laid down in Annexes Nos. 2 and 3 and approve the commercial seed which complies with the requirements laid down in Annex No. 3.

(2) (Supplemented, SG No. 49/2009, effective date 30.06.2009, amended, SG No. 30/2019, effective date 9.04.2019) The IASAS shall issue a certificate in the format approved by the Executive Director of the IASAS for the purposes of marketing the certified seed referred to in paragraph 1 in the categories under Articles 4 and 5.

(3) (Supplemented, SG No. 49/2009, effective date 30.06.2009) The IASAS shall issue a certificate for the commercial seed referred to in paragraph 1 in the format approved by the Executive Director of the IASAS for the purposes of marketing such seed. The document on the approval of commercial seed shall be valid for one year as from the date of issue of the laboratory testing document specified in the approval document.

(4) (New, SG No. 49/2009, effective date 30.06.2009, amended, SG No. 30/2019, effective date 9.04.2019) Seed for which an approval document has been issued pursuant to paragraph 3 shall be subject to laboratory testing of its germination after the document on the approval of commercial seed expires.

(5) (New, SG No. 49/2009, effective date 30.06.2009, amended, SG No. 30/2019, effective date 9.04.2019) Where the laboratory testing results pursuant to paragraph 4 indicate compliance with the germination requirements laid down in Annex No. 3, a new approval document shall be issued with a validity of one year as from the date of issue of the relevant document on the laboratory testing of germination and a sticker with the particulars provided for in point 12 of Annex No. 5, Section A, item (a) for basic seed and certified seed of all categories or point 10 of Annex No. 5, Section A, point (b) for commercial seed shall be affixed on the official label.

(6) (New, SG No. 49/2009, effective date 30.06.2009, amended, SG No. 30/2019, effective date 9.04.2019) Where the packages and seeds of a lot to be tested for germination are damaged or unsuitable for marketing, the lot may be repackaged pursuant to Article 30, paragraphs 5 to 7 and 9.

(7) (New, SG No. 49/2009, effective date 30.06.2009; repealed, SG No. 30/2019, effective date 9.04.2019).

(8) (New, SG No. 49/2009, effective date 30.06.2009; repealed, SG No. 30/2019, effective date 9.04.2019).

Article 28. The persons under Article 28 SPMA who have applied for certification and/or approval of commercial seed shall pay fees for the field inspections, sampling and laboratory testing in accordance with the rates referred to in Article 6(6) SPMA.

Section II

Packaging and labelling of seed

Article 29. (1) Basic seed, certified seed of all categories and commercial seed shall be placed on the market only in sufficiently homogeneous lots and in closed and/or sealed packages which are marked and equipped with a closing/sealing system in accordance with Articles 30 and 31.

(2) (Amended, SG No. 30/2019, effective date 9.04.2019) Derogations from the provisions of paragraph 1 concerning the packaging, sealing and/or sealing and marking may be provided for the sale of seed to final consumers for own needs in written instructions approved by the Executive Director of the IASAS and made available to the producers eligible pursuant to Article 28(1) SPMA and to registered traders of seed of oil and fibre plants.

Article 30. (1) Packages of basic seed, certified seed of all categories and commercial seed shall be sealed officially in the presence of a person authorised by the Executive Director of IASAS or by the persons referred to in Article 28 SPMA under the supervision of the IASAS.

(2) Packages shall be sealed in such a manner that they cannot be opened without damaging the system of sealing or leaving evidence of tampering on either the official label provided for in Article 31 or the package.

(3) To ensure the sealing of the packages, each sealing system shall include at least the official label provided for in Article 31 or a seal, except for the packages equipped with a single-use sealing system.

(4) Specific package sealing systems guaranteeing compliance with the conditions laid down in paragraphs 2 and 3 may be used in the country at decisions taken by the EC in accordance with the relevant procedure.

(5) Sealed packages shall not be opened and re-sealed, unless a permission is given by the IASAS, without prejudice to the provisions of paragraph 1.

(6) (Amended, SG No. 49/2009, effective date 30.06.2009) If packages are resealed, the date of resealing /re-sampling and the name of the authority responsible therefor – IASAS – shall be stated on the label provided for in Article 31.

(7) (New, SG No. 49/2009, effective date 30.06.2009) The provisions of paragraphs 5 and 6 shall apply to the cases of repackaging of seed into packages of smaller net weight (other than the weight of ‘small packages’) than the initial weight.

(8) (New, SG No. 49/2009, effective date 30.06.2009) At the time of sealing of the new packages, an official authorised by the Executive Director of the IASAS shall check the sealing of the new packages on the spot and draw samples for laboratory testing, including, if appropriate, electrophoresis, whereby the costs for the presence of the official shall be borne by applicant.

(9) (New, SG No. 49/2009, effective date 30.06.2009) A new certificate/document on the approval of commercial seed shall be issued for the repackaged seed, the validity of which shall commence on the date of the laboratory retesting indicated in the new certificate/approval document.

(10) (New, SG No. 49/2009, effective date 30.06.2009) In the cases of repackaging of seed produced in Member States of the European Union (EU) or third countries and marketed within the country, the requirements laid down in paragraphs 5 to 8 shall apply, whereby the requisite documents shall be issued: a document on seed packaged in the EU or a document for the marketing of seed imported from third countries.

(11) (New, SG No. 49/2009, effective date 30.06.2009) In the cases of repackaging pursuant to paragraphs 7, 8, 9 and 10, the official labels issued by the IASAS for the new packages in accordance with Annex No. 5, Section A shall indicate:

(a) for basic seed and certified seed of all categories referred to in item (a), point 2: certification authority of the country which has authorised the repackaging – IASAS;

(b) for commercial seed referred to in item (b), point 3: certification authority of the country which has authorised the repackaging – IASAS.

(12) (Ex Paragraph 7, SG No. 49/2009, effective date 30.06.2009) Derogations from the provisions of paragraphs 1 to 3 shall be allowed for small packages sealed within the territory of the country in accordance with the relevant EC act.

Article 31. (1) (Supplemented, SG No. 11/2007, effective date 1.01.2007, amended SG No. 102/2016, effective date 23.12.2016) (5) Packages of basic seed, certified seed of all categories and commercial seed shall be labelled on the outside with a new label that is used for the first time, which fulfils the conditions laid down in Annex No. 5. The particulars on the label shall be written in the Bulgarian language and in an official language of the Union.

(2) When a label with a string-hole is used, its attachment shall be ensured in all cases with an official seal to guarantee the sealing system.

(3) The colour of the label shall be:

1. white for basic seed;
2. blue for certified seed and certified seed of the first generation;
3. red for certified seed, second and third generations;
4. brown for commercial seed;
5. blue with a diagonal green line for certified seed of a varietal association.

(4) In the cases under Article 20(1) in which basic seed does not satisfy the conditions for germination laid down in Annex No. 3, this fact shall be indicated on an adhesive sticker that does not cover the particulars on the label.

(5) The use of official adhesive labels on paper packages or packages of another suitable material shall be allowed.

(6) The particulars of the label may also be printed indelibly on the packages, depending on the layout of the label, under the supervision of the IASAS and under conditions laid down in an EC act.

(7) (New, SG No. 57/2020, effective date 26.06.2020) The official label shall contain the plant passport affixed clearly on the common label immediately above the official label and of the same width as the official label for the species for which regulated non-quarantine pests (RNQPs) have been provided for. The plant passport shall be issued by the BFSA or by the authorised operator(s).

Article 32. Derogations from Article 31 may be allowed for small packages sealed within the country. The conditions thereof shall be laid down in an EC act.

Article 33. (1) Packages of basic seed, certified seed of all categories and commercial seed shall be accompanied by an official document of a colour corresponding to the colour of the label for the relevant category and containing at least the mandatory particulars laid down in Annex No. 5 (A)(a)(4), (5) and (6) for certified seed and points (b)(2), (5) and (6) for commercial seed. This document shall be drawn up in such a manner that it cannot be confused with the official label referred to in Article 31.

(2) The document provided for in paragraph 1 shall not be required if the particulars are printed indelibly on the package or if an adhesive label or a label of tear resistant material is used.

Article 34. (1) Packages of basic seed, certified seed of all categories and commercial seed may also bear a producer's and/or trader's label other than the official label, which shall contain the particulars of the producer and/or trader or the particulars are printed on the packaging.

(2) The conditions provided for in paragraph 1 shall be laid down in an EC act.

Article 35. In the case of a variety which has been genetically modified, any label or document, which accompanies the seed lot, shall indicate that the variety has been genetically modified.

Article 36. Chemical treatments of basic seed, certified seed of all categories or commercial seed with pest control products that are disseminated with the seed and deteriorate its quality shall be indicated on the official label or the producer's/trader's label or on the packaging itself.

Chapter Six

CERTIFICATION, PACKAGING AND LABELLING OF PRE-BASIC SEED FOR MARKETING PURPOSES

Article 37. (1) Pre-basic seed shall be certified, packaged and labelled in the cases under Article 8 provided that it satisfies the following conditions:

1. the seed has been inspected by the IASAS in accordance with the provisions on basic seed certification pursuant to Article 4;
2. the seed is packaged in accordance with the requirements laid down in this Regulation;
3. the seed bears an official label with the particulars provided for in Annex No. 6.

(2) Labels under paragraph 1, subparagraph 3 shall be white in colour with a single diagonal violet line.

Chapter Seven

POST-CONTROL

Article 38. (1) The IASAS shall carry out post-control of seed of oil and fibre plants to check the varietal identity and varietal purity of the seed.

(2) For the purposes of the post-control referred to in paragraph 1, samples shall be drawn from handled seed lots prior to the finalisation of the seed certification. Samples for post-control purposes may be drawn also from seed placed on the retail market, for verification checks and in cases of doubt in the varietal identity and purity of the seed.

(3) (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 30/2019, effective date 9.04.2019) Post-control shall be carried out through growing trials and/or laboratory methods which have been approved by the Minister of Agriculture, Food and Forestry in accordance with Article 37(4) SPMA.

(4) Post-control shall apply to:

1. all lots of pre-basic seed, basic seed, certified seed and certified hybrid seed;
2. a proportion of the lots of certified seed and certified seed of the first, second and third generations, which shall be established annually by an order of the Executive Director of the IASAS;
3. seed of all categories checked by the IASAS after placement on the retail market.

(5) Where seed is found in post-control to be compliant with the requirements for varietal identity and purity, a document on the varietal purity shall be issued by a person duly authorised by the Executive Director of the IASAS.

(6) Where seed is found to be non-compliant with the requirements for varietal identity and varietal purity, the certificate of the seed shall be annulled by the IASAS and the seed shall be withdrawn from the market.

Chapter Eight

CONDITIONS FOR THE PRODUCTION AND MARKETING OF SEED THAT IS NOT FINALLY CERTIFIED FOR THE PURPOSE OF ITS FINAL CERTIFICATION

Article 39. (1) This country may produce seed of oil and fibre plants that is not finally certified or provide final certification to seed harvested and not finally certified in another Member State or a third country in accordance with the provisions of paragraphs 2, 3, 4, 5 to 6.

(2) Where the harvesting and non-final certification of seed take place in an EU Member State (or the Republic of Bulgaria respectively), the following conditions shall be satisfied:

1. the seed has been produced:

(a) from initial seed of the categories of basic seed or certified seed of the first generation, which has been officially certified in one or more EU Member States or a third country with its equivalence for this purpose by the EU Council at the proposal of the EC; or

(b) through cross breeding of basic seed officially certified in an EU Member State with basic seed officially certified in a third country with recognised equivalence;

2. the harvesting and non-final certification of the seed shall be carried out in the EU Member State other than the Member State referred to in subparagraph 1(a) or (b) which has produced and certified the initial seed;

3. seed that is not finally certified from varieties (hybrids) in accordance with Directive 2002/53/EC transposed with Regulation No. 77 of 2006 on the procedure for acceptance for inclusion of new varieties of agricultural plant species in the Official Variety List of the Republic of Bulgaria and the Common Catalogue of the EU Member States may:

(a) be officially certified in any requesting Member State;

(b) be certified as 'certified seed' provided that:

(ba) the seed crop has been examined in a field inspection and has been found compliant with the requirements laid down in Annex No. 2 for the relevant category; and

(bb) the results of the official laboratory testing (carried out in the Member State referred to in subparagraph 3(a)) indicate compliance of the seed with the requirements laid down in Annex No. 3 for the relevant category.

(3) Where seed not finally certified is produced from initial seed officially certified from propagated seed prior to basic seed (pre-basic seed), the provisions of paragraph 2 shall apply and the seed not finally certified may be officially certified in the category of basic seed provided that it satisfies the conditions for that category.

(4) (Amended, SG No. 102/2016, effective date 23.12.2016) (2) Seed of oil and fibre plants harvested in the Union as not finally certified seed and designated for final certification in accordance with paragraphs 3 and 3 shall be:

1. packaged and labelled with an official label containing the particulars provided for in Annex No. 7 (A) and (B); and

2. accompanied by an official document containing the particulars provided for in Annex No. 7(B).

(5) The provisions of paragraph 4, subparagraph 1 on packaging and labelling may be waived if the authorities responsible for field inspections, those drawing up the documents for the certification of seeds which have not been finally certified and those responsible for certification are the same, or if they agree on exemption.

(6) The harvesting and non-final certification of seed shall take place in a third country, when:

1. the seed has been produced:

(a) from initial seed of the categories of basic seed, which has been officially certified in one or more EU Member States or a third country with its equivalence for this purpose by the EU Council at the proposal of the EC; or

(b) through cross breeding of basic seed officially certified in an EU Member State with basic seed officially certified in a third country with recognised equivalence;

2. non-finally certified seed, upon request, may be:

(a) officially certified in any Member State;

(b) be certified as 'certified seed' provided that:

(ba) the seed crop has been examined in an equivalent field inspection in the third country and has been found compliant with the requirements laid down in Annex No. 2 for the relevant category;

(bb) the results of the official laboratory testing (carried out in the Member State) indicate compliance of the seed with the requirements laid down in Annex No. 3 for the relevant category.

Chapter Nine

IMPORTATION OF SEED FROM THIRD COUNTRIES

Article 40. (1) Seed of oil and fibre plants shall be imported in accordance with the SPMA.

(2) Where seed is imported from third countries to this country pursuant to paragraph 1 and the quantity exceeds two kilograms, the label and/or the document accompanying the seed and/or another official document or the contract on the import of the seed shall contain the following particulars:

1. species – botanical name of the species;
2. variety;
3. (Amended, SG No. 102/2016, effective date 23.12.2016) category equivalent to the category of seed produced in the European Union;
4. country of production and official inspection authority;
5. country of dispatch;
6. importer – business name, company;
7. quantity of seed.

(3) (New, SG No. 49/2009, effective date 30.06.2009, amended, No. 102/2016, effective date 23.12.2016) Seed shall be imported from a third country, where the European Commission (EC) has taken a decision on the equivalence of the seed of the relevant plants produced there with regard to field inspections and affording the same assurances for identity, for marking and for control as those of the seed harvested within the Union.

Chapter Ten

SEED PRODUCED UNDER PARTICULAR CONDITIONS; SEED OF PARTICULAR DESIGNATION

Article 41. (1) (Amended, SG No. 102/2016, effective date 23.12.2016) Seed of varieties or hybrids of oil and fibre plants may be produced organically and marketed in accordance with Regulation No. 1 of 2013 on the application of the rules for organic production of plants, animals and aquaculture, products of plant and animal origin, aquaculture products and food, their labelling, and the control of their labelling and production (SG, No. 16/2013) and in accordance with the requirements to the categories of seed placed on the market, which are laid down in this Regulation.

(2) Seed of oil and fibre plants may be treated chemically to protect it against pest.

Article 42. (1) The production and marketing of seed of varieties or hybrids of oil and fibre plants to be used as plant genetic resources in regions of natural and semi-natural plant habitats subject to genetic erosion shall be allowed.

(2) For the purposes of paragraph 1, the production and marketing also of mixtures of seed of oil and fibre plants in combination with other plant species included in the EU Common Catalogue and the Official Variety List of the Republic of Bulgaria respectively shall be allowed.

(3) (Amended, SG No. 102/2016, effective date 23.12.2016) The conditions for production and marketing of the seed referred to in paragraphs 1 and 2 and the authorised quantities are laid down in EC acts issued for the territory of the country or the territory of the Union.

Article 42a. (New, SG No. 49/2009, effective date 30.06.2009) (1) Derogations shall be permitted from the provisions of this Regulation in respect of the production, certification and marketing of seed of local varieties and varieties which are intended for conservation in situ and sustainable use of plant genetic resources which are included in the Official Variety List (OVL)

of the Republic of Bulgaria as ‘conservation varieties’ and belong to those agricultural plant species in accordance with Annex No. 1.

(2) All other requirements to the production, certification and marketing of seed of conservation varieties, other than those provided for in Articles 42b through 42k, shall comply with the provisions of this Regulation.

Article 42b. (New, SG No. 49/2009, effective date 30.06.2009) (1) Derogations from the conditions for certification applicable to the species laid down in Article 16(2) for seed of oil and fibre species of conservation varieties which may be marketed, without prejudice to paragraphs 3 and 4.

(2) Groundnut seed and black mustard seed may be marketed, except for the categories of certified seed and commercial seed and therefore the provisions of this Regulation concerning seed of conservation varieties shall not apply to these species.

(3) The variety of seed of conservation varieties shall be maintained in accordance with the accepted practices (methods) and schemes for the maintenance of the variety by the persons referred to in Article 26 SPMA, without prejudice to Article 27(1) SPMA.

(4) Seed of conservation varieties of the oil and fibre plants concerned shall be certified by seed producers provided it satisfies the following conditions:

1. the seed has satisfactory varietal purity which is established during field inspections (examinations); official field inspections (examinations) by IASAS inspectors or inspectors referred to in Article 10(1) under the supervision of the IASAS shall not be mandatory;

2. the seed satisfies the conditions for usefulness of the seed of oil and fibre plants in the categories of certified seed and certified seed of the first, second or third generations (depending on the agricultural plant species) as established through laboratory testing of the compliance with the requirements listed in Annex No. 3, Section I, points 3 and 4.

(5) The laboratory testing referred to in paragraph 4, subparagraph 2 may be carried out at IASAS laboratories, laboratories referred to in Article 10(2), or producer’s laboratories.

(6) Field inspections may be performed by IASAS inspectors or inspectors referred to in Article 10(1) on request by the producer.

Article 42c. (New, SG No. 49/2009, effective date 30.06.2009) (1) Seed of conservation varieties may be produced and certified only in the region of origin identified in accordance with Article 25 of Regulation No. 77 of 2006 on the procedures for acceptance for inclusion of new varieties of agricultural crops in the Official Variety List of the Republic of Bulgaria and the Common Catalogue of EU Member States (SG No. 51/2006).

(2) (Amended, SG No. 30/2019, effective date 9.04.2019) Where the conditions for production and certification of seed of conservation varieties under Article 42b cannot be satisfied in the region of origin due to specific environmental problems, additional regions of seed production may be approved, taking into account the information in this respect from the MAFF (the national plant genetic resource authority within the meaning of this Regulation). Seed produced and certified in these regions may be marketed only in the identified regions of origin.

(3) (Amended, SG No. 30/2019, effective date 9.04.2019) The Ministry of Agriculture, Food and Forestry shall notify to the Commission and to the other Member States the additional regions which are intended for approval for seed production pursuant to paragraph 1.

(4) If the Commission and the other Member States, within 20 working days from receipt of those notifications as per paragraph 3, do not request the matter to be referred to the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry which may lay down restrictions or conditions for the designation of such regions, the additional regions under paragraph 2 may be approved.

Article 42d. (New, SG No. 49/2009, effective date 30.06.2009) (1) Tests shall be carried out to check that seed of conservation varieties complies with the certification requirements provided for in Article 42b.

(2) The tests under paragraph 1 shall be under the responsibility of the producer and shall be carried out through field inspections, sampling and laboratory testing of the usefulness of seed.

(3) Such tests shall be carried out in accordance with current international methods, or, where such methods do not exist, in accordance with any appropriate methods applicable to the relevant local variety.

(4) In the cases of application of paragraph 3:

1. (Amended, SG No. 30/2019, effective date 9.04.2019) field inspections shall be carried out in accordance with methods approved by the Minister of Agriculture, Food and Forestry pursuant to Article 31(6) SPMA;

2. (Amended, SG No. 30/2019, effective date 9.04.2019) sampling and laboratory testing shall be carried out in accordance with methods approved by the Minister of Agriculture, Food and Forestry pursuant to Article 31(8) SPMA.

(5) Field inspections referred to in paragraph 2 shall be carried out to check that the crop complies with the certification requirements laid down in Article 42b(4)(1). Producers shall draw up field inspection statements, indicating the varietal purity of the crop.

(6) For the purposes of laboratory testing, samples shall be drawn from seed handled in homogeneous lots pursuant to Article 42e.

(7) The maximum lot weight and the minimum sample weight, depending on the species, are laid down in Annex No. 4.

(8) Laboratory testing of seed shall be carried out to check its compliance with the requirements laid down in Article 42b(4)(2). The laboratory referred to in Article 42b(5), which has carried out the testing, shall issue a document on the laboratory testing of seed of conservation varieties.

(9) Where the seed complies with the requirements provided for in Article 42b(4)(1) and (2), producers of seed of conservation varieties shall issue a document for the seed of conservation varieties, stating the varietal purity and the results of the laboratory testing of the usefulness of the seed.

Article 42e. (New, SG No. 49/2009, effective date 30.06.2009) (1) Seed of conservation varieties may be marketed only in homogeneous lots in sealed packages or containers bearing a sealing device pursuant to paragraph 3.

(2) Packages shall be sealed in such a manner that they cannot be opened without damaging the system of sealing or leaving evidence of tampering on either the producer's label provided for in Article 42f on the package or on the container.

(3) Any sealing system shall include at least the label provided for in Article 42f and a stamp or a seal may be affixed to ensure the sealing of the packages and containers pursuant to paragraph 2.

Article 42f. (New, SG No. 49/2009, effective date 30.06.2009) Packages and containers of seed of conservation varieties shall be labelled on the outside with the label of the producer or a stamp shall be printed or affixed in the packaging with the particulars laid down in Annex No. 8.

Article 42g. (New, SG No. 49/2009, effective date 30.06.2009) (1) Seed of a conservation variety may only be marketed subject to the following conditions:

1. it has been produced in its region of origin or in a region approved in accordance with Article 42c, paragraphs 2 through 4;

2. marketing takes place in its region of origin.

(2) (Amended, SG No. 30/2019, effective date 9.04.2019) By way of derogation from paragraph 1, subparagraph 2, item (b), the MAFF may approve additional regions within the territory of the country for the marketing of seed of a conservation variety provided that those regions are comparable to the region of origin of the relevant conservation variety as regards the natural and semi-natural habitats (areas) of that variety.

(3) In the cases of approved regions under paragraph 2, the amount of seed necessary for the production of at least the quantity of seed referred to in Article 42h shall be reserved (guaranteed) through control by the IASAS to conserve the variety in its region of origin.

(4) (Amended, SG No. 30/2019, effective date 9.04.2019) The Ministry of Agriculture, Food and Forestry shall inform the EC and to the Member States of regions approved pursuant to paragraph 2.

(5) Where additional regions for seed production have been approved in accordance with Article 42c, paragraphs 2 through 4, the derogation provided for in paragraph 2 for additional regions shall not apply.

Article 42h. (New, SG No. 49/2009, effective date 30.06.2009) (1) The quantity of seed of a conservation variety, which is marketed within the territory of the country, shall not exceed:

1. 0.5% of the total quantity of seed of the relevant species (to which the conservation variety belongs) used per harvesting year (farming year); for conservation varieties belonging to the species *Brassica napus* and *Helianthus annuus*, the quantity of seed shall not exceed 0.3% of the total quantity of seed for the species; or

2. a quantity necessary to sow 100 hectares (ha).

(2) The greater quantity of either paragraph 1, subparagraph 1 or subparagraph 2 shall be accepted for marketing.

(3) The total quantity of seed of all conservation varieties of the relevant species (oil or fibre plant species) marketed within the territory of the country shall not exceed 10% of the seed of the species concerned used yearly in the country.

(4) In cases where this leads to a quantity calculated under paragraph 1, subparagraph 1 or paragraph 3, which is lower than necessary to sow 100 ha, the quantity necessary to sow 100 ha shall be reached, regardless of the maximum amount of seed of the species concerned used yearly in the country.

Article 42i. (New, SG No. 49/2009, effective date 30.06.2009) (1) (Amended, SG No. 30/2019, effective date 9.04.2019) Producers of seed of conservation varieties shall notify to the MAFF, before the beginning of each production season, the size and the location of the area for the seed production in the declared region of origin (area of production).

(2) (Amended, SG No. 30/2019, effective date 9.04.2019) If the declared size of the areas referred to in paragraph 1 proves to be larger and the quantities that can be produced are likely to exceed the quantities allowed for marketing pursuant to Article 42h, the MAFF shall allocate to each producer concerned the quantity it may market in the respective production season (farming year).

Article 42j. (New, SG No. 49/2009, effective date 30.06.2009) (1) (Amended, SG No. 30/2019, effective date 9.04.2019) The Ministry of Agriculture, Food and Forestry and the IASAS shall ensure by official control (monitoring) that the seed crops of a conservation variety, the regions of origin (areas of production) and the quantities of seed marketed comply with the provisions of Article 42h.

(2) The Executive Agency for Plant Variety Testing, Field Inspection and Seed Control shall carry out official post-control of seed lots of local conservation varieties intended for marketing by random inspections to verify the compliance of its varietal identity and varietal purity with the requirements provided for in Article 42b(4)(1).

Article 42k. (New, SG No. 49/2009, effective date 30.06.2009) (1) Producers of seed of conservation varieties, who are registered in the territory of the country, shall declare in writing to the IASAS the seed production for the relevant year, the location and size of the areas in the region of origin (area of production) and the origin of the initial seed to be used for seed production.

(2) (Amended, SG No. 30/2019, effective date 9.04.2019) Producers/traders of seed of conservation varieties, who are registered in the territory of the country, shall provide the MAFF with information of the quantities of seed produced and marketed in each production season (farming year).

(3) Information shall be provided at the request of the EC or other Member States on the quantities of seed of each conservation variety marketed in the country.

Chapter Eleven

CONTROL OF SEED PLACED ON THE MARKET

Article 43. (1) The IASAS shall control the seed of oil and fibre plants placed on the market in accordance with the SPMA.

(2) The control of the seed placed on the market shall be carried out through random (sudden) checks to ensure the compliance of the seed with the requirements laid down in this Regulation.

Article 44. (1) (New, SG No. 11/2007; Amended, SG No. 102/2016, effective date 23.12.2016) Where temporary experiments are organised within the Union by the European Commission (EC) in relation to the implementation of specific provisions of Directive 2002/57/EC, the Republic of Bulgaria may be released from certain obligations laid down in Directive 2002/57/EC, whereby the extent of that release shall be defined by the EC with reference to the provisions which apply to the temporary experiments the duration of which shall not exceed 7 years.

(2) (Ex Paragraph 1, SG No. 11/2007, effective date 1.01.2007, amended, SG No. 102/2016, effective date 23.12.2016) The Executive Agency for Plant Variety Testing, Field Inspection and Seed Control shall take part in comparative tests and trials of samples taken for post-control of seed of oil and fibre plants marketed in accordance with Directive 2002/57/EC transposed with this Regulation, which are organised by the EC.

(3) (Ex paragraph 2, SG No. 11/2007, effective date 1.01.2007) The comparative tests and trials may include the following:

1. seed produced in third countries;
2. seed suitable for organic farming;
3. seed marketed in relation to its conservation in its natural environment and to its sustainable use and genetic plant resources.

Article 45. (1) (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 30/2019, effective date 9.04.2019) In order to remove any temporary difficulties in the general supply of seed of oil and fibre plants, the Minister of Agriculture, Food and Forestry may permit, for a specified period and in accordance with the relevant EC act, the marketing of certain quantities of seed:

1. deviating from the requirements of this Regulation, or
2. seed of varieties not included in the Common Catalogue of Varieties of Agricultural Plant Species or in the Official Variety List of the Republic of Bulgaria.

(2) The label of the seed referred to in paragraph 1, subparagraph 1 shall bear the colour of the seed category for which the application for certification has been submitted and the real characteristics of the seed shall be exhibited in the label or on an adhesive sticker that does not cover the particulars on the label.

(3) The colour of the label of the seed referred to in paragraph 1, subparagraph 2 shall be brown.

Article 46. (Amended, SG No. 49/2009, effective date 30.06.2009, SG No. 30/2019, effective date 9.04.2019) The Minister of Agriculture, Food and Forestry, at the proposal of the IASAS, may request in writing full or partial release from the obligations under this Regulation by the EC in relation to species that are not typical and generally not produced and marketed within the territory of the country.

Article 47. (Amended, SG No. 11/2007, effective date 1.01.2007) The introduction of any additional restrictions with regard to the characteristics, conditions for testing (certification), packaging and labelling of seed of oil and fibre plants placed on the market other than those provided for in Directive 2002/57/EC and transposed with this Regulation shall not be allowed.

SUPPLEMENTARY PROVISIONS

§ 1. For the purposes of this Regulation:

1. 'Varietal association' means a combination of the following components:

(a) a male-sterile component female component dependent on the relevant pollinator, which has been officially accepted pursuant to Regulation No. 77 of 2006 on the procedure for acceptance for inclusion of new varieties of agricultural plant species in the Official Variety List of the Republic of Bulgaria and the Common Catalogue of the EU Member States transposing Directive 2002/53/EC and included in the Common Catalogue of varieties and/or the Official Variety List; and

(b) a male component – one or more specific pollinators – accepted under the same conditions which apply to the female component;

2. 'Pollinator-dependent component' means the male-sterile component within the 'varietal association' as a female component;

3. 'Pollinator' means the component shedding pollen within the 'varietal association' – the male component;

4. 'Pelleting' or 'encrusting' of seed means treatments used to coat the surface of seed with pesticides, nutrients or other additive substances of a signal colour; pelleting achieves an equal size of seeds with a view to their even sowing;

5. 'Identity' means the manifestation of all morphological characteristics of a variety in accordance with the official description of the variety;

6. 'Varietal purity' means the proportion of plants within the population of the inspected crop that conform to varietal characteristics;

7. 'Third countries' with recognised 'equivalence' are countries which are not Member States of the European Union and to which the European Commission may, under certain conditions, grant equivalence status as regards the seed and/or propagating material provided that this seed and/or propagating material satisfies the conditions for the relevant category produced and marketed within the European Community;

8. 'Genetic resources' means plant material containing functional units of heredity and consisting of modern cultivars, primitive varieties and crop wild relatives, which are of actual or potential value for the future generations of humanity;

9. (Amended, SG No. 49/2009, effective date 30.06.2009) 'Genetic erosion' means loss of genetic diversity between and within populations or varieties of the same species over time, or reduction of the genetic basis of a species due to human intervention or environmental change;

10. 'Semi-natural plant habitats' means plant habitats partially affected by human activities;

11. (New, SG No. 11/2007, effective date 1.01.2007) 'Pre-basic seed' means the seed of generations prior to basic seed.

12. (New, SG No. 11/2007, effective date 1.01.2007) 'Pre-basic seed generations' means seed obtained in the process of maintaining the variety from each multiplication of the initial seed.

§ 2. The supply of seed of oil and fibre plants by natural or legal persons to other persons on the basis of a contract for the production of agricultural raw materials intended for industrial use or multiplication of seed for the same purpose, except for the cases under § 2 SPMA, shall not be considered to be marketing of seed of oil and fibre plants provided that the persons providing these services/performing these activities do not become holders/owners of the seed supplied or of the products/yield of such seed. Seed suppliers shall submit a copy of the contract to the IASAS. The conditions for the implementation of this provision shall be laid down in EC acts.

§ 3. (41) The particular conditions for marketing chemically treated seed and seed produced organically in accordance with Article 41 shall be laid down in EC acts.

§ 4. The particular conditions for producing and marketing the seed referred to in Article 42(1) and (2) and the allowed quantities shall be laid down in EC acts.

§ 5. (Supplemented, SG No. 57/2020, effective date 26.06.2020) This Regulation transposes Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants, Commission Directive 86/109/EEC of 27 February 1986 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as ‘basic seed’ or ‘certified seed’ and Commission Implementing Directive (EU) 2020/177 of 11 February 2020 amending Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/55/EC, 2002/56/EC and 2002/57/EC, Commission Directives 93/49/EEC and 93/61/EEC and Implementing Directives 2014/21/EU and 2014/98/EU as regards pests of plants on seeds and other plant reproductive material (OJ L 41, 13.2.2020).

FINAL PROVISIONS

§ 6. This Regulation repeals Regulation No. 46 of 2003 on the production and marketing of seed of oil and fibre plants (SG No. 103/2003).

§ 7. This Regulation is issued pursuant to Article 29(6)(3) of the Seed and Propagating Material Act.

§ 8. This Regulation shall enter into force on 1 January 2007.

FINAL PROVISIONS

AMENDING REGULATION TO REGULATION No. 100 OF 2006 ON THE MARKETING OF SEED OF OIL AND FIBRE PLANTS WITHIN THE EUROPEAN UNION

(PROMULGATED, SG No. 11/2007, EFFECTIVE DATE 01.01.2007)

§ 12. This Regulation shall enter into force on 1 January 2007.

AMENDING REGULATION TO REGULATION No. 100 OF 2006 ON THE MARKETING OF SEED OF OIL AND FIBRE PLANTS WITHIN THE EUROPEAN UNION

(PROMULGATED, SG No. 49/2009, EFFECTIVE DATE 30.06.2009)

§ 8. The words ‘Ministry of Agriculture and Forestry’ and ‘Minister of Agriculture and Forestry’ shall be replaced by the words ‘Ministry of Agriculture and Food’ and ‘Minister of Agriculture and Food’ respectively everywhere in the text.

SUPPLEMENTARY PROVISIONS

AMENDING REGULATION TO REGULATION No. 100 OF 2006 ON THE MARKETING OF SEED OF OIL AND FIBRE PLANTS WITHIN THE EUROPEAN UNION

(PROMULGATED, SG No. 49/2009, EFFECTIVE DATE 30.06.2009)

§ 9. This Regulation transposes Commission Directive 2008/62/EC of 20 June 2008 providing for certain derogations for acceptance of agricultural landraces and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion and for marketing of seed and seed potatoes of those landraces and varieties (OJ L 162/13), Articles 10 through 20.

Final Provisions

AMENDING REGULATION TO REGULATION No. 100 OF 2006 ON THE MARKETING OF SEED OF OIL AND FIBRE PLANTS WITHIN THE EUROPEAN UNION

(PROMULGATED, SG No. 49/2009, EFFECTIVE DATE 30.06.2009)

§ 10. This Regulation shall enter into force on the day of its publication in The State Gazette.

SUPPLEMENTARY PROVISIONS
AMENDING REGULATION TO REGULATION No. 100 OF 2006 ON THE
MARKETING OF SEED OF OIL AND FIBRE PLANTS
WITHIN THE EUROPEAN UNION

(PROMULGATED, SG No. 41/2010, EFFECTIVE DATE 01.06.2010)

§ 6. This Regulation transposes Article 4 of Commission Directive 2009/74/EC of 26 June 2009 amending Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC and 2002/57/EC as regards the botanical names of plants, the scientific names of other organisms and certain Annexes to Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in the light of developments of scientific and technical knowledge (OJ L 166, 27.06.2009).

FINAL PROVISIONS
AMENDING REGULATION TO REGULATION No. 100 OF 2006 ON THE
MARKETING OF SEED OF OIL AND FIBRE PLANTS WITHIN
THE EUROPEAN UNION

(PROMULGATED, SG No. 41/2010, EFFECTIVE DATE 01.06.2010)

§ 7. This Regulation shall enter into force on the day of its publication in The State Gazette.

SUPPLEMENTARY PROVISIONS
AMENDING REGULATION TO REGULATION No. 100 OF 2006 ON THE
MARKETING OF SEED OF OIL AND FIBRE PLANTS WITHIN
THE EUROPEAN UNION

(PROMULGATED, SG No. 102/2016, EFFECTIVE DATE 23.12.2016)

§ 6. This Regulation transposes Commission Implementing Directive (EU) 2016/11 of 5 January 2016 amending Annex II to Council Directive 2002/57/EC on the marketing of seed of oil and fibre plants (OJ L 3, 6.01.2016) and Commission Implementing Directive (EU) 2016/317 of 3 March 2016 amending Council Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC as regards the official label of seed packages (OJ L 60, 5.03.2016).

§ 7. The word ‘Community’ shall be replaced by the word ‘Union’ everywhere in the text of this Regulation.

FINAL PROVISIONS
AMENDING REGULATION TO REGULATION No. 100 OF 2006 ON THE
MARKETING OF SEED OF OIL AND FIBRE PLANTS WITHIN
THE EUROPEAN UNION

(PROMULGATED, SG No. 102/2016, EFFECTIVE DATE 23.12.2016)

§ 8. This Regulation shall enter into force on the date of its publication in the State Gazette, except for §§ 4 and 5 which shall enter into force on 1 April 2017.

TRANSITIONAL AND FINAL PROVISIONS
REGULATION No. 3 OF 28 MARCH 2019 SETTING OUT THE CONDITIONS AND
PROCEDURES FOR ISSUING AUTHORISATION TO PERSONS MARKETING SEED
FOR RESEARCH OR SELECTION WORK AND SEED FOR DEMONSTRATION
AND/OR PRODUCTION TRIALS, THE ALLOWED QUANTITIES THEREOF
DEPENDING ON THE PLANT SPECIES, AND THE PACKAGING
AND LABELLING OF SEED

(PROMULGATED, SG No. 30/2019, EFFECTIVE DATE 9.04.2019)

§ 14. Regulation No. 100 of 2006 on the marketing of seed of oil and fibre plants within the European Union (Promulgated, SG No. 77/2006; Amended, SG No. 77/2006, SG No. 11/2007, SG No. 49/2009, SG No. 41/2010 and SG No. 102/2016) shall be amended as follows:

.....

4. The words ‘(the) Minister of Agriculture and Food’ and ‘the Ministry of Agriculture and Forestry’ shall be replaced by the words ‘(the Minister of Agriculture, Food and Forestry’ and ‘the Ministry of Agriculture, Food and Forestry’ respectively and the acronym ‘MAF’ shall be replaced by the acronym ‘MAFF’ everywhere in the text.

§ 15. This Regulation shall enter into force on the day of its publication in The State Gazette.

FINAL PROVISIONS
AMENDING REGULATION TO REGULATION No. 99 OF 2006 ON THE
MARKETING OF FODDER PLANT SEED WITHIN THE EUROPEAN UNION

(PROMULGATED, SG No. 57/2020, EFFECTIVE DATE 26.06.2020)

§ 15. This Regulation shall enter into force on the day of its publication in The State Gazette.

Annex No. 1 to Article 1(2)
(Amended, SG No. 41/2010, effective date 01.06.2010)

List of oil and fibre plant species

1. *Arachis hypogaea* L. – Groundnut
2. *Brassica juncea* (L.) Czern. – Brown mustard
3. *Brassica napus* L. (partim) – Swede rape
4. *Brassica nigra* (L.) W.D.J. Koch – Black mustard
5. *Brassica rapa* L. var. *silvestris* (Lam.) Briggs – Turnip rape
6. *Cannabis sativa* L. – Hemp
7. *Carthamus tinctorius* L. – Safflower (saffron)
8. *Carum carvi* L. – Caraway
9. *Glycine max* (L.) Merr. – Soya
10. *Gossypium* spp. – Cotton
11. *Helianthus annuus* L. – Sunflower
12. *Linum usitatissimum* L. – Linseed and Flax
13. *Papaver somniferum* L. – Opium poppy
14. *Sinapis alba* L. – White mustard

Annex No. 2 to Article 4(1)(3)
(Amended, SG No. 11/2007, effective date 1.01.2007, SG No. 41/2010, effective date 1.06.2010, SG No. 30/2019, effective date 9.04.2019, SG No. 57/2020, effective date 26.06.2020)

Conditions to be satisfied by the crop during field inspections

1. The previous seed cropping of the field shall not have been incompatible with the production of seeds of the species and variety of the crop, and the field shall be sufficiently free from such plants which are volunteers from previous cropping.

1.1. (Amended, SG No. 30/2019, effective date 9.04.2019) The requirements to the previous cropping, depending on the species and/or category, are laid down in the field inspection methods approved by the Minister of Agriculture, Food and Forestry. In the case of hybrids of Swede rape, the seed crop shall be raised in a production ground where 5 years have elapsed since plants of *Brassicaceae* (*Cruciferae*) (crucifers) were last grown.

2. Crops shall comply with the following requirements for spatial isolation from neighbouring pollen sources to avoid undesired foreign pollination:

Crop	Minimum distance, m
1	2
<i>Brassica</i> spp. (turnip rape, brown mustard, black mustard) other than <i>Brassica napus</i> (Swede rape); <i>Cannabis sativa</i> (hemp) other than monoecious hemp; <i>Carthamus tinctorius</i> (safflower); <i>Carum carvi</i> (caraway), <i>Gossypium</i> spp. (cotton) other than hybrids of <i>Gossypium hirsutum</i> and/or <i>Gossypium barbadense</i> ; <i>Sinapis alba</i> L. (White mustard):	
– for the production of basic seed	400
– for the production of certified seed	200
<i>Brassica napus</i> (Swede rape):	
– for the production of basic seed of direct varieties	200
– for the production of basic seed – hybrid components	500
– for the production of certified seed of direct varieties	100
– for the production of certified seed of hybrids	300
<i>Cannabis sativa</i> (Monoecious hemp):	
– for the production of basic seed	5000
– for the production of certified seed	1,000
<i>Helianthus annuus</i> (Sunflower):	

– for the production of basic seed – hybrid components	1500 (2500 m for locally produced seed in the country)
– for the production of basic seed of direct varieties	750
– for the production of certified seed	500
	(for certified seed produced in the country: – for hybrids – 1500 – for varieties – 500)
<i>Gossypium hirsutum</i> and/or <i>Gossypium barbadens</i> – Cotton:	
– for the production of basic seed of <i>Gossypium hirsutum</i> from genealogical lines	100
– for the production of basic seed of <i>Gossypium barbadens</i> from genealogical lines	200
– for the production of certified seed of non-hybrid varieties and intraspecific hybrids of <i>Gossypium hirsutum</i> produced without Cytoplasmic Male Sterility (CMS)	30
– for the production of certified seed of intraspecific hybrids of <i>Gossypium hirsutum</i> produced with CMS	800
– for the production of certified seed of non-hybrid varieties and intraspecific hybrids of <i>Gossypium barbadense</i> produced without CMS	150
– for the production of certified seed of intraspecific hybrids of <i>Gossypium barbadense</i> produced with CMS	800
– for the production of basic seed of fixed interspecific hybrids of <i>Gossypium hirsutum</i> and <i>Gossypium barbadense</i> (as genealogical components)	200
– for the production of certified seed of fixed interspecific hybrids of <i>Gossypium hirsutum</i> and <i>Gossypium barbadense</i> and hybrids produced without CMS	150
– for the production of certified seed of hybrids of <i>Gossypium hirsutum</i> and <i>Gossypium barbadense</i> produced with CMS	800
<i>Arachis hypogaea</i> (groundnut), <i>Glycine max</i> (soya), <i>Linum usitatissimum</i> L. (linseed and flax) – for the production of certified seed of all categories	1

Note. (Amended, SG No. 30/2019, effective date 9.04.2019) These spatial isolation distances can be reduced (disregarded) if there is sufficient protection from any undesirable foreign pollination as described in the field inspection methods approved by the Minister of Agriculture, Food and Forestry.

3. The crop shall have sufficient varietal identity and varietal purity or, in the case of a crop of an inbred line, sufficient identity and purity as regards its characteristics.

3.1. For the production of seed of hybrid varieties, the provisions laid down in point 3 shall also apply to the characteristics of the components, including male sterility or restoration of fertility.

3.2. Crops of *Brassica juncea* (brown mustard), *Brassica nigra* (black mustard), *Cannabis sativa* (hemp), *Carthamus tinctorius* (safflower), *Carum carvi* (caraway), *Gossypium spp.* (cotton) and hybrids of *Helianthus annuus* (sunflower) and *Brassica napus* (Swede rape) shall conform to the following other standards or conditions:

A. *Brassica juncea* (brown mustard), *Brassica nigra* (black mustard), *Cannabis sativa* (hemp), *Carthamus tinctorius* (safflower), *Carum carvi* (caraway), and *Gossypium spp.* (cotton) other than hybrids, the number of plants of the crop species which are recognisable as obviously not being true to the variety shall not exceed:

- one per 30 m² for the production of basic seed;
- one per 10 m² for the production of certified seed.

B. Hybrids of *Helianthus annuus* (sunflower):

(a) the percentage by number of plants which are recognisable as obviously not being true to the variety, to the inbred line, or to the component shall not exceed:

(aa) for the production of basic seed:

1. inbred lines:

0.2%;

2. simple hybrids:

- male parent, plants which have shed pollen while 2% or more of the female plants have receptive flowers 0.2%;
- female component 0.5%;
- (ab) for the production of certified seed:
 - male component, plants which have shed pollen while 5% or more of the female plants have receptive flowers 0.5%;
 - female component 1.0%;

(b) additional conditions to be satisfied by sunflower hybrid seed:

(ba) sufficient pollen shall be shed by the plants of the male component while the plants of the female component are in flower;

(bb) where plants of the female component have receptive stigmas, the percentage of plants of that component which have shed pollen or are shedding pollen shall not exceed 0.5%;

(bc) for the production of basic seed the total percentage by number of plants of the female component which are recognisable as obviously not being true to the component and which have shed pollen or are shedding pollen shall not exceed 0.5%;

(bd) where the condition laid down in Annex No. 3(I)(2) cannot be satisfied, the following conditions shall be satisfied: a male-sterile component shall be used to produce certified seed by using a male component which contains a specific restorer line or lines so that at least one third of the plants grown from the resulting hybrid will produce pollen which appears normal in all respects.

C. Hybrids of *Brassica napus* (Swede rape), produced using the male sterility:

(a) the percentage by number of plants which are recognisable as obviously not being true to the variety, to the inbred line, or to the component shall not exceed:

(aa) for the production of basic seed:

- 1. inbred lines: 0.1%;
- 2. simple hybrids:
 - male component 0.1%;
 - female component 0.2%;

(ab) for the production of certified seed:

- male component 0.3%;
- female component 1.0%;

(b) male sterility shall be at least 99% for the production of basic seed and 98% for the production of certified seed. The level of male sterility shall be assessed by examining flowers for the absence of fertile anthers.

D. Hybrids of *Gossypium hirsutum* and *Gossypium barbadense* (cotton).

1. In crops to produce basic seed of parental lines of *Gossypium hirsutum* and *Gossypium barbadense*, the minimum varietal purity of both the female and male parental lines shall be 99.8% when 5% or more of seed-bearing plants have pollen receptive flowers. The level of male sterility of the seed-bearing parent line shall be assessed by examining the flowers for the presence of sterile anthers and shall not be less than 99.9%.

2. In crops to produce certified seed of hybrid varieties of *Gossypium hirsutum* and/or *Gossypium barbadense*, the minimum varietal purity of both the seed-bearing parent and the pollen parent line shall be 99.5% when 5% or more of seed-bearing plants have pollen receptive flowers. The level of male sterility of the seed-bearing parent line shall be assessed by examining the flowers for the presence of sterile anthers and shall not be less than 99.7%.

3. (Amended, SG No. 30/2019, SG No. 57/2020, effective date 26.06.2020) The crop shall be practically free from any pests which reduce the usefulness and quality of the propagating material. Crops shall comply also with the requirements concerning Union quarantine pests, protected zone quarantine pests and regulated non-quarantine pests, which are provided for in the implementing acts adopted in accordance with Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No. 228/2013, (EU) No. 652/2014 and (EU) No. 1143/2014 of the European Parliament and of the Council and repealing Council 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) and the measures referred to in Article 30(1) of Regulation (EU) 2016/2031.

The presence of RNQPs on the crops shall comply with the following requirements as set out in the table:

Fungi and oomycetes				
RNQPs or symptoms caused by RNQPs	Plants for planting (genus or species)	Thresholds for the production of pre-basic seed	Thresholds for the production of basic seed	Thresholds for the production of certified seed
Plasmopara halstedii (Farlow) Berlese & de Toni [PLASHA]	<i>Helianthus annuus</i> L.	0%	0%	0%

4. The satisfaction of the other standards or conditions laid down in points 3 and 4 shall, in the case of basic seed, be examined in official field inspections and, in the case of certified seed, be examined either in official field inspections or in inspections carried out under official supervision. Field inspections shall be carried out in accordance with the following conditions:

(a) the condition and the stage of development of the crop shall permit an adequate examination;

(b) the number of inspections and stages of inspection of the crop shall be as follows:

1. In cases other than crops of hybrids of *Helianthus annuus* (sunflower), *Brassica napus* (Swede rape), *Gossypium hirsutum* and *Gossypium barbadense* (cotton), there shall be at least one inspection (examination);

2. In the case of hybrids of *Helianthus annuus* (sunflower) there shall be at least two inspections (examinations);

3. In the case of hybrids of *Brassica napus* (Swede rape) there shall be at least three inspections:

– the first shall be made before the flowering stage;

– the second at the early flowering stage; and

– the third at the end of the flowering stage.

4. In the case of hybrids of *Gossypium hirsutum* and/or *Gossypium barbadense* (cotton) there shall be at least three inspections (examinations):

– the first shall be made at the early flowering stage;

– the second before the end of the flowering stage; and

– the third at the end of the flowering stage after removal, where appropriate, of the pollen parent plants.

E. (Amended, SG No. 30/2019, effective date 9.04.2019) The size, the number and the distribution of the portions of the field to be inspected in order to examine the satisfaction of the provisions of this Annex shall be determined in accordance with the field inspection methods approved by the Minister of Agriculture, Food and Forestry.

Annex No. 3 to Article 4(1)(3)

(Amended, SG No. 41/2010, effective date 1.06.2010, SG No. 102/2016, effective date 23.12.2016, SG No. 30/2019, effective date 9.04.2019 and SG No. 57/2020, effective date 26.06.2020)

Conditions to be satisfied by the seed

I. Basic and Certified Seed

1. The seed shall have sufficient varietal identity and varietal purity for the crop concerned as follows:

Species (crop) and category 1	Varietal purity in % at least:
	2
<i>Arachis hypogaea</i> L. (Groundnut):	
– basic seed	99.7
– certified seed	99.5
<i>Brassica napus</i> (Swede rape) – varieties (other than hybrids), other than varieties to be used solely for fodder purposes; and <i>Brassica rapa</i> (Turnip rape), varieties other than varieties used solely for fodder purposes:	
– basic seed	99.9
– certified seed	99.7
<i>Brassica</i> spp. (Swede rape, Brown mustard, Black mustard) – varieties (other than hybrids), other than varieties used solely for fodder purposes, <i>Brassica rapa</i> (Turnip rape) – varieties used solely for fodder purposes, <i>Helianthus annuus</i> (Sunflower) – varieties (other than hybrids), including their components; and <i>Sinapis alba</i> L. (White mustard):	
– basic seed	99.7
– certified seed	99
<i>Linum usitatissimum</i> L. (Linseed and Flax):	
– basic seed	99.7
– certified seed, 1st generation	98
– certified seed, 2nd and 3rd generation	97.5
– certified seed, 3rd generation	99
<i>Papaver somniferum</i> L. (opium poppy):	
– basic seed	98
– certified seed	99.5

<i>Glycine max</i> (soya):	99
– basic seed	
– certified seed	99
<i>Carum carvi</i> L. (caraway):	
– basic seed	98
– certified seed (1st and 2nd generation)	99.7
<i>Gossypium</i> spp. (Cotton) – varieties:	99
– basic seed	
– certified seed	
<i>Brassica juncea</i> , <i>Brassica nigra</i> (Brown mustard and Black mustard) – varieties (other than hybrids), other than varieties:	99.7
used solely for fodder purposes:	99
– basic seed	
– certified seed	
<i>Cannabis sativa</i> (hemp – monoecious and dioecious):	99.7
– basic seed	
– certified seed (certified 1st and 2nd generation)	99
<i>Carthamus tinctorius</i> L. (safflower):	
– basic seed	99.7
– certified seed	99

Note. The varietal purity shall be examined mainly in field inspections carried out in accordance with the conditions laid down in Annex No. 2.

The varietal purity may also be examined by laboratory testing of the crops for which laboratory testing methods have been approved by the Minister of Agriculture, Food and Forestry in accordance with the international methods.

1a. In the case of hybrids of *Brassica napus* (Swede rape) produced using male sterility the seed shall conform with the conditions and standards set out in points (a) to (d):

(a) sufficient identity and purity as regards the characteristics of the components, including male sterility or restoration of fertility;

(b) (Amended, SG No. 102/2016, effective date 23.12.2016) the minimum varietal purity of the seed shall be:

(aa) basic seed, female component 99%;

(bb) basic seed, male component 99.9%;

(cc) certified seed of winter swede rape varieties 90%;

(dd) certified seed of spring swede rape varieties 85%;

(c) seed shall not be certified as certified seed unless due account has been taken of the results of official post-control plot tests (growing trials) on samples of basic seed; growing trials shall be carried out through tests on the plot of samples of basic seed taken officially; growing trials shall be carried out during the growing season of the seed entered for certification as certified seed to ascertain whether the basic seed has met the requirements for basic seed laid down in respect of identity as regards the characteristics of the components, including male sterility, and the standards for basic seed laid down in respect of the minimum varietal purity laid down in point (b); in the case of basic seed of hybrids, the varietal purity may be assessed by appropriate biochemical methods;

(d) the compliance with the standards of the minimum varietal purity laid down in point (b) in respect of certified seed of hybrids shall be monitored by post-control tests on samples taken from seed lots; appropriate biochemical methods may be utilised.

2. Where the condition laid down in Annex No. 2(3)(B)(b)(bd) cannot be satisfied, the following condition shall be met:

for the production of certified seed of hybrids of sunflower, a female male-sterile component (CMS based) and a male component which does not restore male fertility may be used; the hybrid seed produced in this way shall be blended with seed produced by the fully fertile male component; the ratio of male-sterile parent seed to male-fertile parent shall not exceed two to one.

3. Seed shall conform to the following standards or conditions as regards germination, analytical purity and content of seeds of other plants species, including *Orobanche* spp., laid down in the following table:

A. Table 1:

Species and categories	Minimum germination (% of pure seed)	Analytical purity		Maximum content of seeds of other plant species in a sample of the weight specified in column 4 of Annex No. 4 (total per column)							Conditions as regards content of <i>Orobanche</i> seeds
		Minimum analytical purity (% by weight)	Maximum content of seeds of other plant species (% by weight)	Other plant species (a)	<i>Avena fatua</i> , <i>Avena sterilis</i>	<i>Cuscuta</i> spp.	<i>Raphanus raphanistrum</i>	<i>Rumex</i> spp. (other than <i>Rumex acetosella</i>)	<i>Alopecurus myosuroides</i>	<i>Lolium remotum</i>	
1	2	3	4	5	6	7	8	9	10	11	12
<i>Arachis hypogaea</i> Groundnut (peanut)	70	99	-	5	0	0 (c)					
<i>Brassica</i> spp. – Swede rape, Turnip rape, Brown mustard, Black mustard											
– basic seed	85	98	0.3	-	0	0 (c) (d)	10	2			
– Certified seed	85	98	0.3	-	0	0 (c) (d)	10	5			
<i>Cannabis sativa</i> L. – Hemp	75	98	-	30 (b)	0	0 (c)					(e)
<i>Carthamus tinctorius</i> L. – Safflower (saffron)	75	98	-	5	0	0 (c)					(e)
<i>Carum carvi</i> L. – Caraway	70	97	-	25 (b)	0	0 (c) (d)	10		3		
<i>Gossypium</i> spp. – Cotton	80	98	-	15		0 (c)					
<i>Helianthus annuus</i> L. – Sunflower	85	98	-	5	0	0 (c)					
Linum usitatissimum: – Flax	92	99	-	15	0	0 (c) (d)			4		2
– linseed	85	99	-	15	0	0 (c) (d)			4		2
<i>Papaver somniferum</i> L. (Opium poppy):	80	98	-	25 (b)	0	0 (c) (d)					
<i>Sinapis alba</i> L. (White mustard)											
– basic seed	85	98	0.3	-	0	0 (c) (d)	10	2			
– Certified seed	85	98	0.3	-	0	0 (c) (d)	10	5			
<i>Glycine max</i> (Soya)	80	98	-	5	0	0 (c)					

B. Letters used in Table No. 1 and their meaning:

(a) the maximum contents of seeds laid down in column 5 include also the seeds of the species in columns 6 to 11;
(b) the determination of total content of seeds of other plant species by number need not be carried out unless there is doubt whether the conditions laid down in column 5 have been satisfied (greater quantity than the maximum level);

(c) the determination of seeds of *Cuscuta* spp. by number need not be carried out unless there is doubt whether the conditions laid down in column 7 have been satisfied;

(d) the presence of one seed of *Cuscuta* spp. in a sample (of the prescribed weight) shall not be regarded as an impurity where a second sample of the same weight is free from any seeds of *Cuscuta* spp.;

(e) the seed shall be free from *Orobanche* spp.; however the presence of one seed of *Orobanche* spp. in a sample of 100 grams shall not be regarded as an impurity where a second sample of 200 grams is free from any seeds of *Orobanche* spp.

4. (Amended, SG No. 57/2020, effective date 26.06.2020) Seed shall be practically free from any pests which reduce the usefulness and quality of the propagation material.

The seed shall also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to Regulation (EU) 2016/2031, as well as with the measures adopted pursuant to Article 30(1) of that Regulation.

The presence of RNQPs on the seeds and the respective categories shall comply with the following requirements as set out in the table:

Fungi and oomycetes				
RNQPs or symptoms caused by RNQPs	Plants for planting (genus or species)	Thresholds for pre-basic seed	Thresholds for basic seed	Thresholds for certified seed
<i>Alternaria nlicola</i> Groves & Skolko [ALTELI]	<i>Linum usitatissimum</i> L.	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp
<i>Boeremia exigua</i> var. <i>linicola</i> (Naumov & Vassiljevsky) Aveskamp, Gruyter & Verkley [PHOMEL]	<i>Linum usitatissimum</i> L. – flax	1% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp	1% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp	1% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp
<i>Boeremia exigua</i> var. <i>linicola</i> (Naumov & Vassiljevsky) Aveskamp, Gruyter & Verkley [PHOMEL]	<i>Linum usitatissimum</i> L. – linseed	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp	5% 5% affected with <i>Alternaria</i> <i>linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum lini</i> and <i>Fusarium</i> spp	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp
<i>Botrytis cinerea</i> de Bary [BOTRCI]	<i>Helianthus annuus</i> L., <i>Linum usitatissimum</i> L.	5%	5%	5%
<i>Colletotrichum lini</i> Westerdijk [COLLLI]	<i>Linum usitatissimum</i> L.	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp
<i>Diaporthe caulivora</i> (Athow & Caldwell) J.M. Santos, Vrandecic & A.J.L. Phillips [DIAPPC] <i>Diaporthe phaseolorum</i> var. <i>sojae</i> Lehman [DIAPPS]	<i>Glycine max</i> (L.) Merr	15% for infection with the Phomopsis complex	15% for infection with the Phomopsis complex	15% for infection with the Phomopsis complex
<i>Fusarium</i> (anamorphic genus) Link [1FUSAG] other than <i>Fusarium</i> <i>oxysporum</i> f. sp. <i>albedinis</i> (Kill. & Maire) W.L. Gordon [FUSAAL] and <i>Fusarium circinatum</i> Nirenberg & O'Donnell [GIBBCI]	<i>Linum usitatissimum</i> L.	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp	5% 5% affected with <i>Alternaria linicola</i> , <i>Boeremia exigua</i> var. <i>linicola</i> , <i>Colletotrichum</i> <i>lini</i> and <i>Fusarium</i> spp
<i>Plasmopara halstedii</i> (Farlow) Berlese & de Toni [PLASHA]	<i>Helianthus annuus</i> L.	0%	0%	0%
<i>Sclerotinia sclerotiorum</i> (Libert) de Bary [SCLESC]	<i>Brassica rapa</i> L. var. <i>silvestris</i> (Lam.) Briggs,	Not more than 5 sclerotia or fragments of sclerotia found in a laboratory examination of a representative sample of each seed lot, of a size specified in column 4 of Annex No. 4	Not more than 5 sclerotia or fragments of sclerotia found in a laboratory examination of a representative sample of each seed lot, of a size specified in column 4 of Annex No. 4	Not more than 5 sclerotia or fragments of sclerotia found in a laboratory examination of a representative sample of each seed lot, of a size specified in column 4 of Annex No. 4
<i>Sclerotinia sclerotiorum</i> (Libert) de Bary [SCLESC]	<i>Brassica napus</i> L. (partim), <i>Helianthus</i> <i>annuus</i> L.	Not more than 10 sclerotia or fragments of sclerotia found in a laboratory examination of a representative sample of each seed lot, of a size specified in column 4 of Annex No. 4	Not more than 10 sclerotia or fragments of sclerotia found in a laboratory examination of a representative sample of each seed lot, of a size specified in column 4 of Annex No. 4	Not more than 10 sclerotia or fragments of sclerotia found in a laboratory examination of a representative sample of each seed lot, of a size specified in column 4 of Annex No. 4
<i>Sclerotinia sclerotiorum</i> (Libert) de Bary [SCLESC]	<i>Sinapis alba</i> L.	Not more than 5 sclerotia or fragments of sclerotia found in a laboratory examination of a representative sample of each seed lot, of a size specified in column 4 of Annex No. 4	Not more than 5 sclerotia or fragments of sclerotia found in a laboratory examination of a representative sample of each seed lot, of a size specified in column 4 of Annex No. 4	Not more than 5 sclerotia or fragments of sclerotia found in a laboratory examination of a representative sample of each seed lot, of a size specified in column 4 of Annex No. 4

II. Commercial seed

With the exception of points 1 and 2, the conditions referred to in Annex No. 3(I) shall apply to commercial seed.

Annex No. 4 to Article 27(2)

(Amended, SG No. 41/2010, effective date 1.06.2010)

Size (weight) of seed lots and samples

Species (crop)	Maximum weight of a seed lot (tonnes)	Minimum weight of a sample to be drawn from a lot (grams)	Weight of the sample for the determinations by number provided for in columns 5 to 11 of Table 1 of Annex No. 3 and number of sclerotia and parts of sclerotia in column 5 of Table 2 of Annex No. 3 (grams)
1	2	3	4
<i>Arachis hypogaea</i> L. (Groundnut)	30	1,000	1,000
<i>Brassica rapa</i> L. (Turnip rape)	10	200	70
<i>Brassica juncea</i> (Brown mustard)	10	100	40
<i>Brassica napus</i> (Swede rape)	10	200	100
<i>Brassica nigra</i> (Black mustard)	10	100	40
<i>Cannabis sativa</i> L. (Hemp)	10	600	600
<i>Carthamus tinctorius</i> L. – (Safflower/saffron)	25	900	900
<i>Carum carvi</i> L. (Caraway)	10	200	80
<i>Gossypium</i> spp. (Cotton)	25	1,000	1,000
<i>Helianthus annuus</i> L. (Sunflower)	25	1,000	1,000
<i>Linum usitatissimum</i> L. (Flax, Linseed)	10	300	150
<i>Papaver somniferum</i> L. (Opium poppy)	10	50	10
<i>Sinapis alba</i> L. (White mustard)	10	400	200
<i>Glycine max</i> (Soya)	30	1,000	1,000

Note. The maximum lot weight shall not be exceeded by more than 5%.

Annex No. 5 to Article 31(1)

(Amended, SG No. 11/2007, effective date 01.01.2007; Supplemented, No. 102/2016, effective date 01.04.2017, SG No. 57/2020, effective date 26.06.2020)

Label

A. Mandatory Information

(a) for basic and certified seed of all categories

1. 'EC rules and regulations';
2. (Supplemented, SG No. 11/2007, effective date 01.01.2007) Certification (controlling) authority and Member State or their initials (acronyms – IASAS, Republic of Bulgaria (for the seed produced within the country);
- 2a. (New, SG No. 102/2016, effective date 01.04.2017) Officially assigned serial number;
3. Month and year of sealing expressed thus: 'Sealed (month and year)', or month and year of the last official sampling for the purposes of certification expressed thus: 'Sampled ... (month and year)';
4. Reference number of lot;
5. (Supplemented, SG No. 11/2007, effective date 01.01.2007) Species indicated at least in Roman characters, under its botanical name, which may be given in abridged form and without the authors' names, and its common name at least in Cyrillic characters (for the seed produced within the country);
6. Variety, indicated at least in Roman characters;
7. Category;
8. Country of production;

9. declared net or gross weight;

10. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds or total weight;

11. In the case of varieties which are hybrids or inbred lines:

(a) for basic seed: where the hybrid or inbred line to which the seed belongs has been officially accepted in the Common Catalogue in accordance with Directive 2002/53/EC and/or the Official Variety List of the Republic of Bulgaria in accordance with this Regulation and Regulation No. 77 of 2006 on the procedure for acceptance for entry of new varieties of agricultural plant species in the Official Variety List of the Republic of Bulgaria and the Common Catalogue of the EU:

(aa) the name of this component, under which it has been officially accepted, with or without reference to the final variety,

(ab) accompanied, in the case of hybrids or inbred lines which are intended solely as components for final varieties, by the word 'component',

(b) for basic seed in cases other than those referred to in point (a): the name of the component to which the basic seed belongs, which may be given in code form, accompanied by a reference to the final variety, with or without reference to its function (male or female), and accompanied by the word 'component';

(c) for certified seed: the name of the variety to which the seed belongs, accompanied by the word 'hybrid';

12. Where at least germination has been re-tested, the words 'germination retested (month and year)', as well as the name of the re-testing service, shall be indicated; this information shall be indicated on a sticker affixed to the official label;

13. For certified seed of a varietal association: the information required under points 1 to 12, except that instead of the name of the variety, the name of the varietal association shall be indicated thus: Varietal association and its name, and the percentages by weight of the various components shown by variety shall be given; it shall be sufficient to give the name of the varietal association if the percentage by weight has been notified in writing to the purchaser, on request, and officially recorded;

14. (New, SG No. 57/2020, effective date 26.06.2020) The plant passport shall contain the following designations:

1. for movement within the Union territory:

(a) the words 'plant passport' written in Bulgarian and in English divided by a slash in the upper-right corner of the common label;

(b) the Union logo printed in colour or in black-and-white in the upper-left corner of the common label;

2. for introduction and movement within protected zones:

(a) the words 'plant passport – PZ' written in Bulgarian and in English divided by a slash in the upper-right corner of the common label;

(b) the scientific name or code of the relevant quarantine pest(s) of significance for the protected zone immediately below these words;

(c) the Union logo printed in colour or in black-and-white in the upper-left corner of the common label.

(b) Commercial seed:

1. 'EC rules and regulations';

2. 'Commercial seed (not certified as to variety)';

3. Certification (controlling) authority and Member State or their initials (acronyms) – IASAS, Republic of Bulgaria;

3a. (New, SG No. 102/2016, effective date 01.04.2017) Officially assigned serial number;

4. Month and year of sealing expressed thus: 'Sealed ... (month and year)'; or month and year of the last sampling for the purposes of certification expressed thus: 'Sampled ... (month and year)';

5. Reference number of lot;

6. Species indicated at least in Roman characters, under its botanical name, which may be given in abridged form and without the authors' names, and its common name at least in Cyrillic characters;

7. Region of production;

8. declared net or gross weight;

9. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds or total weight;

10. Where at least germination has been re-tested, the words 'germination retested (month and year)', as well as the name of the re-testing service, shall be indicated.

This information shall be indicated on a sticker affixed to the official label.

B. Minimum dimensions of labels

110 mm x 67 mm.

Annex No. 6 to Article 37(1)(3)

(Supplemented, SG No. 11/2007, effective date 01.01.2007) Label of pre-basic seed

A. Mandatory Information

1. (Supplemented, SG No. 11/2007, effective date 01.01.2007) State – Republic of Bulgaria (for seed produced within the country);
2. (Supplemented, SG No. 11/2007, effective date 01.01.2007) Controlling/certification authority – IASAS (for seed produced within the country);
3. (Supplemented, SG No. 11/2007, effective date 01.01.2007) Species, under its botanical name, indicated in Roman characters and in Cyrillic characters (for seed produced within the country);
4. Variety indicated at least in Roman characters;
5. Designation ‘pre-basic seed’;
6. Reference number of lot;
7. Date of sampling (month and year) for the purpose of certification;
8. Number of generations prior to the seed of the category of certified seed or certified seed of the first generation.

B. Minimum dimensions of labels

110 mm x 67 mm.

Annex No. 7 to Article 39(4)(1) and (2)

(Supplemented, SG No. 11/2007, effective date 01.01.2007, supplemented, SG No. 102/2016, effective date 01.04.2017)

Label and documents provided in the case of seed not finally certified, harvested in another Member State

A. Mandatory information on the label:

1. (Supplemented, SG No. 11/2007, effective date 01.01.2007) Certification (controlling) authority responsible for field inspections and Member State or their initials (acronyms) – IASAS, Republic of Bulgaria (for the seed produced within the country);
- 1a. (New, SG No. 102/2016, effective date 01.04.2017) Officially assigned serial number;
2. (Supplemented, SG No. 11/2007, effective date 01.01.2007) Species indicated at least in Roman characters, under its botanical name, which may be given in abridged form and without the authors' names, and its common name at least in Cyrillic characters (for the seed produced within the country);
3. Denomination of the variety indicated at least in Roman characters; in the case of varieties which are hybrids or inbred lines, the word ‘component’ shall be added;
4. Category;
5. In the case of hybrids, the word ‘hybrid’ shall be added;
6. Reference number of lot;
7. Declared net or gross weight;
8. The words ‘seed not finally certified’.

B. Colour of the label The colour of the label shall be gray.

C. Mandatory information in the document:

1. (Supplemented, SG No. 11/2007, effective date 01.01.2007) Controlling/certification authority – IASAS (for seed produced within the country);
- 1a. (New, SG No. 102/2016, effective date 01.04.2017) Officially assigned serial number;
2. (Supplemented, SG No. 11/2007, effective date 01.01.2007) Species indicated at least in Roman characters, under its botanical name, which may be given in abridged form and without the authors' names, and its common name at least in Cyrillic characters (for the seed produced within the country);
3. Variety, indicated at least in Roman characters;
4. Category;
5. Reference number of the seed used to sow the field and name of the country or countries which certified that seed;
6. Field or lot reference number of the seed not finally certified;
7. Area cultivated for the production of the lot covered by the document;
8. Quantity of seed harvested and number of packages;
9. Number of generations after the basic seed in the cases of certified seed (other than hybrids);
10. Attestation that the conditions to be satisfied by the crop from which the seed comes have been fulfilled;
11. Where appropriate, results of a preliminary seed testing.

Annex No. 8 to Article 42f

(New, SG No. 49/2009, effective date 30.06.2009)

Label of the producer of seed of a conservation variety

1. ‘EC rules and regulations’;
2. name and address of the person (producer of seed of a conservation variety) who is responsible for the packaging and labelling, or identification/registration number;

3. Year of sealing of the seed (packaging and labelling) expressed thus: 'Sealed... (month and year)'; or year of the last sampling for the purposes of testing the usefulness of seed (last germination testing) expressed thus: 'Sampled.... (month and year)';
4. Species;
5. Name of the conservation variety;
6. The words 'conservation variety';
7. Region of origin;
8. Identification of the region of production where it is different from the region of origin;
9. Identification (reference) number of the lot, which is assigned by the person under point 2 who is responsible for the packaging and labelling;
10. Declared net or gross weight or declared number of seeds;
11. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds or total weight.