

REGULATION No. 16 OF 30 May 2008 ON THE MARKETING OF SEED POTATOES WITHIN THE EUROPEAN UNION

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Issued by the Minister of Agriculture and Food

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Chapter One GENERAL PROVISIONS

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

1. the categories of seed potatoes placed on the market of the European Union (EU);
2. the control of seed by the official authorities for certification purposes;
3. the conditions under which the seed is placed on the market;
4. the conditions to be met by seed potatoes for certification purposes - field inspections (including the conditions for spatial isolation), packaging, labelling, and quality evaluation (grading);
5. the conditions and procedure for post-control; the number of lots subject to post-control;
6. the importation of seed from third countries;
7. the marketing of seed produced under particular conditions; seed of particular designation;
8. the control of the seed placed on the market.

(2) This Regulation shall apply to seed potatoes of the species *Solanum tuberosum* L.

Article 2. This Regulation shall not apply to seed potatoes for export to third countries.

Chapter Two CATEGORIES OF SEED

Article 3. Seed potatoes shall be produced and certified in the following categories:

1. basic;
2. certified.

Article 4. (1) "Basic seed potatoes" means potato tubers:

1. which have been produced under the responsibility and supervision of the persons referred to in Article 26 of the Seed and Propagating Material Act (SPMA) according to the accepted variety maintenance and health control methods and practices;
2. which are intended mainly for the production of certified seed potatoes;
3. which satisfy the conditions laid down in Annexes Nos. 1 and 2 for basic seed potatoes;
4. which have been found in examination by the official authorities under Article 7 to satisfy the minimum conditions under subparagraphs 1 to 3.

(2) (Amended, SG No. 87/2018, effective date 19.10.2018) Basic seed is divided into three grades for the purposes of the trade between the Member States of the European Union into EC grade 1, EC grade 2 and EC grade 3, where it satisfies the conditions laid down in Commission Directive 93/17/EEC of 30 March 1993 determining Community grades of basic seed potatoes, together with the conditions and designations applicable to such grades (OJ, L 106, 30.4.1993, pp. 7-10) as transposed with Regulation No. 15 of 24 July 2015 on the marketing of pre-basic, basic and certified seed potatoes of the relevant grades on the market of the European Union (SG

No. 59/2015) (Regulation No. 15 of 2015) and Annexes Nos. 1 and 2 of this Regulation respectively.

(3) (Amended, SG No. 87/2018, effective date 19.10.2018) The basic seed of the grades provided for in paragraph 2 shall be produced from initial seed (initial material) which satisfies the conditions laid down in Commission Directive 93/17/EEC as transposed with Regulation No. 15 of 2015.

(4) Basic seed of EC grade 1 and EC grade 2 may be re-propagated into the next grades in a descending order.

(5) Basic seed of EC grade 1, EC grade 2 and EC grade 3 may be re-propagated as basic seed (without any designation of the grade) under the conditions laid down in Article 4(1).

(6) Basic seed of EC grade 1, EC grade 2 and EC grade 3 and basic seed without any designation of the grade shall be intended mainly for the production of certified seed grades A and B.

(7) Seed potatoes of the basic seed category, which have been produced in other Member States and traded within the territory of the country with a grade designation other than the designations laid down in Directive 93/17/EEC, shall be considered to be basic seed EC grade 3.

Article 5. (1) "Certified seed potatoes" means potato tubers:

1. which have been produced directly from basic seed or certified seed (grade A for grade B), or from seed of a generation prior to basic seed under Article 6, at the request of the breeder applying for certification, which have been found on examination by the official authorities referred to in Article 7 to satisfy the conditions laid down for basic seed in Annexes Nos. 1 and 2;

2. which are intended mainly for the production of potatoes other than seed potatoes;

3. which satisfy the conditions laid down in Annexes Nos. 1 and 2 for certified seed potatoes;

4. which have been found in examination by the official authorities to satisfy the conditions under subparagraphs 1 to 3.

(2) Certified potato seed shall be divided into grade A and grade B in accordance with the conditions laid down in Annexes Nos. 1 and 2.

Article 6. (1) 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 under Article 5(1)(1) and Article 9(1).

(2) Initial seed (initial material) of potatoes intended for the basic seed grades may be certified as pre-basic seed, when marketed, in accordance with Article 9(2).

Chapter Three

SEED CONTROL BY THE OFFICIAL AUTHORITIES FOR CERTIFICATION PURPOSES

Article 7. (1) (Amended, SG No. 87/2018, effective date 19.10.2018) In the Republic of Bulgaria, seed control shall be performed by the Executive Agency for Plant Variety Testing, Field Inspection and Seed Control (IASAS) in accordance with Articles 3 and 4 SPMA and by the Bulgarian Food Safety Agency (BFSA) in accordance with Articles 3 and 5 SPMA.

(2) The Executive Agency for Plant Variety Testing, Field Inspection and Seed Control shall certify seed potatoes in the categories of basic seed and certified seed through field inspections, laboratory testing - ELISA test for health and quality evaluation and for its compliance with the conditions laid down in Annexes Nos. 1, 2 and 3.

(3) (Amended, SG No. 87/2018, effective date 19.10.2018) The Bulgarian Food Safety Agency shall perform phytosanitary control of seed potatoes in accordance with Regulation No. 8 of 2015 on phytosanitary control (SG No. 19/2015) (Regulation No. 8 of 2015) and issue a phytosanitary (plant) passport.

Chapter Four

CONDITIONS UNDER WHICH SEED IS PLACED ON THE MARKET

Article 8. (1) Seed potatoes shall be marketed only if it is certified in the categories of basic seed or certified seed.

(2) Basic seed may also be marketed in the following grades: EC grade 1, EC grade 2 and EC grade 3.

(3) Certified seed shall be marketed in grade A and grade B.

Article 9. (1) Seed of the pre-basic seed category may also be placed on the market if it is certified under the conditions for basic seed.

(2) In the case of marketing of initial seed (initial material) intended for the production of the relevant grades of basic seed, initial seed shall be marketed as pre-basic seed, where:

(a) (Amended, SG No. 87/2018, effective date 19.10.2018) it satisfies the conditions laid down in Regulation No. 15 of 2015, and

(b) it has been certified in accordance with the conditions for basic seed if it satisfies the conditions laid down in:

- Annex No. 1, Table 2, points 4, 5 and 6 for the relevant basic seed grade for which it is intended;

- Annex No. 2, Table, Column 2 for basic seed grades, and

- Annex No. 3, Table, for the relevant basic seed grade for which it is intended.

Article 10. (1) Seed other than the seed authorised for marketing under Articles 8 and 9 may be marketed within the territory of the Republic of Bulgaria for the following purposes:

1. scientific purposes or selection work, or

2. experimental purposes - demonstration and/or production tests and trials - of varieties for which a variety testing application has been submitted pending its entry in the Official Variety List of the Republic of Bulgaria.

(2) Genetically modified seed under paragraph 1, subparagraph 2 shall comply with the Genetically Modified Organisms Act with a view to avoiding adverse effects on human health, animal and plant health, and the environment.

(3) The provisions of Article 7(4) of Regulation No. 77 of 2006 setting out 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 (SG No. 51/2006) transposing Article 7(4) of Council Directive 2002/53/EC of 13 June 2002 on the Common Catalogue of varieties of agricultural plant species (OJ L 193, 20.7.2002, p. 1) shall apply to the environmental impact assessment of genetically modified seed.

(4) Marketing authorisations for the seed under paragraph 1, subparagraph 2 in terms of designation, packaging, marking and the relevant quantities shall be issued in accordance with Commission Decision of 1 December 2004 concerning implementing rules whereby Member States may authorise the placing on the market of seed belonging to varieties for which an application for entry in the national catalogue of varieties of agricultural plant species or vegetable species has been submitted (2004/842/EC) (OJ L 362, 9.12.2004) transposed with Regulation No. 17 of 2007 setting out the conditions and procedures for the granting of authorisation to persons placing on the market seed for scientific purposes or selection work or seed of varieties for which an application for entry into the Official Variety List has been submitted and which are intended for demonstration and/or production tests and trials (SG No. 77/2007).

(5) Persons registered within the territory of the country as producers and traders of seed and propagating material shall be granted an authorisation for marketing the seed under paragraph 1 in accordance with the conditions laid down in paragraph 4 by the Executive Director of the IASAS upon the submission of an application in the format approved by the Executive Director of the IASAS in accordance with the Regulation under paragraph 4.

Chapter Five

CONDITIONS TO BE SATISFIED BY THE SEED FOR CERTIFICATION PURPOSES

Section I

General Provisions

Article 11. The Executive Agency for Plant Variety Testing, Field Inspection and Seed Control shall certify seed potatoes to establish:

1. the identity, varietal purity and health of the plants through a field inspection and/or laboratory testing - ELISA test; and
2. the quality of the seed potatoes through quality evaluation process.

Article 12. (1) The persons referred to in Article 28 SPMA shall submit an application for certification in the format approved by the Executive Director of the IASAS. The territorial unit (TU) shall make available application forms to the applicants.

(2) The procedures of certification of seed potatoes shall be carried out in accordance with Regulation No. 8 of 2007 setting out the procedures for certification and/or approval of seeds and propagating material produced and marketed in the following groups of crops: fruit plants, vines, ornamental and vegetable species (SG No. 29/2007).

Section II

Conditions to be satisfied during field inspections

Article 13. (1) (Amended, SG No. 87/2018, effective date 19.10.2018) Field inspections shall be carried out to establish the compliance of the seed crop with the conditions to be satisfied during field inspections in accordance with the Regulations under Article 1(31) on the basis of methods approved by the Minister of Agriculture, Food and Forestry pursuant to Article 6(6) SPMA.

(2) Seed producing crops shall be separated from one another and from potato crops grown for consumption with the required spatial isolation laid down in Annex No. 1, Section I.

(3) (Amended, SG No. 87/2018, effective date 19.10.2018) Crops intended for the production of basic seed grades shall satisfy, during field inspections, the conditions laid down in Annex No. 1 to Regulation No. 15 of 2015 and Annex No. 1 of this Regulation respectively.

(4) Crops intended for the production of initial seed potatoes of the basic seed grades shall satisfy, during field inspections, the conditions laid down in:

(a) (Amended, SG No. 87/2018, effective date 19.10.2018) Annex No. 1 to Regulation No. 15 of 2015, and

(b) Annex No. 1, points 4, 5 and 6 of this Regulation for the relevant basic seed grade for which it is intended.

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

Section III

Handling, packaging and labelling of the seed

Article 14. (1) Seed potatoes of the crops approved by a field inspection shall be harvested, transported and stored separately from the potatoes intended for purposes other than seed production.

(2) Where a part of the crop is discarded, the seed material thereof shall be harvested separately.

Article 15. (1) (Amended, SG No. 87/2018, effective date 19.10.2018) Seed potatoes approved with a field inspection statement and a post-control (ELISA test) document issued by the IASAS, for which the BFSA has issued a phytosanitary (plant) passport on their compliance with the

phytosanitary requirements, shall be handled and sorted by size groups in homogeneous lots. The ELISA test document shall not be required for seed certified in grade B.

(2) Square sieves shall be used to sort tubers under the following conditions:

(a) small tubers shall not pass through a square mesh of 25 × 25 mm (lower sieve);

(b) large tubers shall not pass through a square mesh 35 x 35 mm (lower sieve); the size of the lower and upper sieves shall be expressed in multiples of 5 and the difference in the size shall not exceed 25 mm.

(3) Seed potatoes produced in the country shall be sorted as follows:

(a) small size group - from 25 mm to 35 mm;

(b) large size group - from 35 mm to 60 mm.

Article 16. (1) The seed handled in homogeneous lots shall be packaged, whereby the net weight of the packages shall be established by the applicant.

(2) A lot shall not contain more than 3% of seeds smaller than the minimum size or larger than the maximum size indicated for the relevant size group pursuant to Article 15.

Article 17. (1) Seed potatoes produced through tissue culture techniques of micropropagation and not meeting the size requirements under Article 15(2) and (3), may be marketed by derogation from the requirements of this Regulation for their certification with respect to:

1. the specific designation of the seed with an indication of the applied micropropagation technique;

2. the size of the tubers;

3. the changes in the requirements for their packaging and labelling.

(2) The conditions under paragraph 1 shall be defined in a decision (act) of the EC adopted in accordance with the procedure under Articles 4 and 7 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.

Article 18. Basic and certified seed potatoes shall be placed on the market in homogeneous lots in closed and/or sealed packages or containers in accordance with Articles 19 and 20. The packages shall not have been used before and the containers shall be clean.

Article 19. (1) Packages of basic and certified seed potatoes shall be sealed officially in the presence of a person duly 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 20 of the package and/or the container.

(3) Each sealing system shall comprise at least either the official label provided for in Article 20 and may include the affixing of an official seal.

(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) Packages which have been officially sealed shall not be re-sealed, whether one or more times, except with the permission of the IASAS in the cases of re-handling or chemical treatment of the seed, without prejudice to paragraph 1.

(6) If packages are re-sealed in the cases under paragraph 5, the date of re-sealing/re-sampling and the name of the authority responsible therefor - IASAS - shall be stated on the label required under Article 20.

(7) An official duly authorised by the Executive Director of the IASAS shall check the sealing of the new packages on the spot, whereby the costs for the presence of the official shall be borne by applicant.

Article 20. (1) Packages of basic and certified seed shall be labelled on the outside with an official label, which satisfies the conditions laid down in Annex No. 4. The particulars of the label shall be provided in one of the official languages of the European Community and the particulars of the seed produced within the territory of the country shall be provided in the Bulgarian language.

(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 grade A and certified seed grade B.

(4) The use of official adhesive labels of suitable material on the packages shall be authorised.

(5) (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. The plant passport shall be issued by the BFSA or by the authorised operator(s).

Article 21. (1) The particulars of the label provided for in Article 20(1) may be printed indelibly on the packages, depending on the model of the label, under the supervision of the IASAS and under conditions laid down in a decision (act) of the EC adopted in accordance with the procedure under Articles 4 and 7 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.

(2) After a decision (act) of the EC on the conditions for printing labels on packages is adopted, a person duly authorised by the Executive Director of the IASAS shall check on the spot whether the conditions under paragraph 1 have been satisfied and draw up a statement thereof.

Article 22. (1) Packages of basic and certified seed shall be accompanied by an official document of a colour corresponding to the colour of the label for the relevant grade and containing at least the mandatory particulars laid down in Annex No. 4, points 3, 4, 5 and 6. This document shall be drawn up in such a manner that it cannot be confused with the official label referred to under Article 20.

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

Article 23. (1) Packages of basic seed potatoes or certified seed may bear a producer's and/or trader's label which shall be separate from the official label and contain information of the producer and/or trader. The information on the label may be printed on the package itself.

(2) The conditions under paragraph 1 shall be laid down by the European Commission.

Article 24. 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 25. (1) Any chemical treatment of basic or certified seed shall be noted either on the official label or on the producer's/trader's label and on the package.

(2) Seed potatoes treated with germination inhibitors shall not be marketed.

Section IV

Conditions to be satisfied in the quality evaluation of seed potatoes

Article 26. The quality of seed potatoes shall be evaluated by lots handled in accordance with the conditions laid down in Section III.

Article 27. (1) (Amended, SG No. 87/2018, effective date 19.10.2018) The quality of seed shall be evaluated to establish its compliance with the conditions laid down in Annex No. 2 on the basis of methods approved by the Minister of Agriculture, Food and Forestry pursuant to Article 31(8) SPMA.

(2) (Amended, SG No. 87/2018, effective date 19.10.2018) Seed potatoes of basic seed grades shall satisfy the conditions laid down in Annex No. 2 to Regulation No. 15 of 2015 and Annex No. 2 of this Regulation respectively.

(3) The quality of initial seed potatoes (initial material) shall be evaluated as pre-basic seed for marketing purposes in accordance with the conditions to be satisfied by basic seed grades laid down in Annex No. 2.

Article 28. (1) Samples of seed potatoes shall be drawn for quality evaluation purposes from homogeneous lots which have already been handled.

(2) The number of seed lots produced from the relevant seed crop shall correspond to the number of size groups. The size of any lot shall be determined on the basis of the quantity of handled seed from the relevant size group.

(3) (Amended, SG No. 87/2018, effective date 19.10.2018) The samples referred to in paragraph 1 shall be drawn on the basis of methods approved by the Minister of Agriculture, Food and Forestry pursuant to Article 31(6) SPMA.

(4) The sampling for quality evaluation purposes shall be performed by an official duly authorised by the Executive Director of the IASAS.

(5) Samples shall be taken in the presence of the applicant or a person duly authorised by the applicant.

(6) The official referred to in paragraph 4 shall draw a sample from each lot of at least 200 kg if lots are packaged in bags or 500 potato tubers if lots are packaged in containers.

(7) The quality of the sample shall be evaluated on the spot by the person referred to in paragraph 4 on the date on which the sample is drawn.

(8) The seed which has been drawn from the sample and tested shall be re-packaged and re-sealed in the presence of the person referred to in paragraph 4, whereby the date of re-sealing shall be indicated on the labels and the IASAS stamp shall be affixed thereto. The seed shall belong to the lot, the quality of which has been evaluated.

Article 29. The person referred to in Article 28(4) shall issue a document with the quality evaluation results in the format approved by the Executive Director of the IASAS.

Article 30. (1) Seed potatoes shall not be certified if they do not satisfy the conditions laid down in Article 27 and the conditions laid down in Article 31 are not applicable.

(2) The seed referred to in paragraph 1 shall not be marketed. The applicant shall return the labels issued to the TU of the IASAS.

Article 31. If the seed potatoes do not satisfy the conditions laid down in the table in Annex No. 2 or the relevant size group under Article 15, the applicant may request re-handling/re-sorting. Re-sorted seed lots shall be subject to quality evaluation and ELISA testing.

Section V

Conditions for certification

Article 32. (1) (Amended, SG No. 87/2018, effective date 19.10.2018) The Executive Agency for Plant Variety Testing, Field Inspection and Seed Control shall certify seed categories which satisfy the conditions laid down in Annexes Nos. 1, 2 and 3, for which the IASAS has issued the relevant documents - a field inspection statement, an ELISA testing document and a quality evaluation document - and the BFSAs has issued a phytosanitary (plant) passport.

(2) (Amended, SG No. 87/2018, effective date 19.10.2018) Basic seed grades shall be certified in accordance with paragraph 1 if they satisfy the conditions laid down in Regulation No. 15 of 2015.

(3) In the cases under Article 6(1), pre-basic seed shall be certified in accordance with the conditions laid down in paragraph 1 if they comply at least with the conditions to be satisfied by basic seed without any designation of the grade.

(4) (Amended, SG No. 87/2018, effective date 19.10.2018) Initial seed (initial material) shall be certified in the cases of placing it on the market as pre-basic seed where the documents under paragraph 1 have been issued and it satisfies the conditions laid down in Regulation No. 15 of 2015 and Annexes Nos. 1, 2 and 3 to this Regulation in accordance with Article 9(2)(b).

(5) (Supplemented, SG No. 49/2009, effective date 30.06.2009) (1) The IASAS shall issue a certificate in the format approved by the Executive Director of the IASAS for the purposes of marketing the seed under paragraphs 1 to 4. Certificates shall be valid until the end of the autumn and winter season (the season of long-term storage of available seed potatoes).

(6) (Supplemented, SG No. 49/2009, effective date 30.06.2009) After their long-term storage during the autumn and winter, the quality of the seed potatoes under paragraph 5, for which a certificate has been issued, shall be subject to re-evaluation of their quality. Where the quality evaluation results indicate compliance with the conditions laid down in Annex No. 2, a new certificate with the validity term provided for in paragraph 5 shall be issued and noted (point 8) on the official label of the packages provided for in Annex No. 4, Section I. If the packages and labels of seed potatoes from a lot subject to quality re-evaluation are damaged or unsuitable for marketing, the lot shall be re-packaged in new packages, new labels shall be issued by the IASAS, the quality of the seed shall be evaluated, and a new certificate shall be issued with the validity term provided for in paragraph 5.

(7) (New, SG No. 49/2009, effective date 30.06.2009) The certificates provided for in paragraphs 5 and 6 shall be deemed invalid after the expiry of their validity term.

Article 33. The persons referred to in Article 28 SPMA who have applied for certification shall pay fees for the activities carried out by the IASAS - field inspections, sampling, ELISA testing, and/or growing trials - in accordance with the rates set out in Decree No. 310 of the Council of Ministers of 2004 on the approval of the Rates of the fees charged by the IASAS under the New Plant Variety and Animal Breed Protection Act and the Seed and Propagating Material Act. (SG No. 104/2004)

Chapter Six

CERTIFICATION, PACKAGING AND LABELLING OF SEED OF GENERATIONS PRIOR TO BASIC SEED ("PRE-BASIC SEED") FOR MARKETING PURPOSES

Article 34. (1) Seed of generations prior to basic seed (pre-basic seed) shall be certified, packaged and labelled in the cases under Article 6 provided that it satisfies the following conditions:

1. to have been produced in accordance with the accepted methods and schemes of maintenance of the variety and health of the seed;
2. to be intended mainly for production of basic seed;
3. (Amended, SG No. 87/2018, effective date 19.10.2018) to comply with the minimum conditions to be satisfied by basic seed (for initial seed intended to be placed on the market as pre-basic seed - also the conditions laid down in Regulation No. 15 of 2015);
4. to have been found in examination by the official authorities under Article 7 to satisfy the minimum conditions under subparagraphs 1 to 3;
5. to be packaged in accordance with the requirements laid down in this Regulation; and
6. to have an official label on the packages with the particulars provided for in Annex No. 5.

(2) The label provided for in paragraph 1, subparagraph 6 shall be white in colour with a single diagonal violet line.

Chapter Seven POST-CONTROL

Article 35. (Amended, SG No. 87/2018, effective date 19.10.2018) Post-control shall be carried out through laboratory methods - ELISA testing and/or growing trial methods - which have been

approved by the Minister of Agriculture, Food and Forestry in accordance with Article 37(4) SPMA.

Article 36. Post-control shall apply to:

1. all lots of pre-basic seed intended for marketing as basic seed, including EC grade 1, EC grade 2, EC grade 3 and certified seed grade A;
2. seed placed on the retail market in check-testing carried out by the IASAS;
3. seed imported from third countries.

Article 37. (1) For the purposes of post-control of the seed referred to in Article 36(1), samples shall be drawn from the seed crops after de-leafing.

(2) Samples for post-control of the seed under Article 36(2) and (3) shall be drawn from the available quantities of seed which are currently traded at the time of the check or from the lots of seed imported from third countries respectively.

(3) The sampling for post-control purposes shall be performed by an official duly authorised by the Executive Director of the IASAS.

(4) A sampling statement shall be drawn up in the format approved by the Executive Director of the IASAS upon payment of the fee in accordance with the rates set out in Decree No. 310 of the Council of Ministers of 2004 on the approval of the Rates of the fees charged by the IASAS under the New Plant Variety and Animal Breed Protection Act and the Seed and Propagating Material Act.

Article 38. (1) Samples for post-control purposes shall be as follows:

1. basic seed, including basic seed grades and pre-basic seed intended for marketing - 250 tubers;
2. certified seed grade A - 150 tubers;
3. seed imported from third countries - 130 tubers.

(2) The size of the samples under paragraph 1 shall comply with the requirements of the post-control methods applied to the whole sample.

Article 39. (1) The results of the post-control shall be reported in a document in the format approved by the Executive Director of the IASAS.

(2) The document shall be issued by a person duly authorised by the Executive Director of the IASAS.

(3) The document shall be issued within five days of the date on which the results were reported upon payment of the fee in accordance with the rates set out in Decree No. 5 of the Council of Ministers of 310 on the approval of the Rates of the fees charged by the IASAS under the New Plant Variety and Animal Breed Protection Act and the Seed and Propagating Material Act.

Article 40. Where the post-control results indicate that the seed satisfies the conditions laid down in Annex No. 3, the seed may be:

1. certified in the relevant categories and grades provided for in Article 36(1);
2. marketed in the cases under Article 36(2) and (3).

Article 41. (1) Where the post-control results indicate that the seed does not satisfy the conditions laid down in Annex No. 3, the seed shall not be certified and marketed.

(2) The labels on the packages of seed referred to in paragraph 1 in the cases under Article 36(2) shall be returned to the TU of the IASAS.

Chapter Eight

IMPORTATION OF SEED FROM THIRD COUNTRIES

Article 42. (1) Seed may be imported to the territory of the country from third countries in accordance with the provisions of Chapter Seven of the SPMA and upon a decision (act) of the EC concerning the relevant third country if the seed potatoes produced in the third country comply with the same requirements to those produced in Member States in accordance with

Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes (OJ L 193, 20.7.2002, p.60).

(2) The following particulars of quantities exceeding two kilograms of seed potatoes imported from third countries shall be supplied on the label and/or the document accompanying the seed potatoes and/or the import contract:

1. species - botanical name of the species;
2. variety;
3. category equivalent to the category of seed potatoes produced in the European Community;
4. country of production and official control authority;
5. country of dispatch;
6. importer - business name, company;
7. quantity of seed potatoes.

Chapter Nine

SEED PRODUCED UNDER PARTICULAR CONDITIONS: SEED OF PARTICULAR DESIGNATION

Article 43. (1) Seed potatoes may be marketed within the territory of the country in any of the following cases:

1. seed potatoes in combination with other plant species to be used as genetic resources in areas of natural and semi-natural plant habitats threatened by genetic erosion, or
2. organic production of seed potatoes, or
3. chemically treated seed potatoes.

(2) (Amended, SG No. 87/2018, effective date 19.10.2018) In the cases under paragraph 1, subparagraph 1, the plant species and quantities thereof shall be authorised by the Ministry of Agriculture, Food and Forestry and the areas in which they will be used shall be declared.

(3) The conditions under paragraph 1, subparagraphs 1, 2 and 3 shall be laid down by the European Commission.

Article 43a. (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 potatoes of local varieties and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion for conservation in situ and the 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 the potato plant species.

(2) All other requirements to the production, certification and marketing of seed potatoes of conservation varieties, other than those provided for in Articles 43b to 43k, shall comply with the provisions of this Regulation.

Article 43b. (New, SG No. 49/2009, effective date 30.06.2009) (1) Derogations from the conditions for certification applicable to the potato species laid down in Article 8 of the Regulation for seed potatoes of conservation varieties which may be marketed in accordance with the requirements laid down the paragraphs 2 and 3.

(2) 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 under Article 26 SPMA, while observing the requirements under Article 27(1) SPMA.

(3) Seed of conservation varieties of the potato species 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 shall not be mandatory;

2. the seed satisfies the requirements for usefulness of seed potatoes of the certified seed category (grades A and B), which is established through quality evaluation for compliance with the conditions laid down in Annex No. 2.

(4) (Amended, SG No. 87/2018, effective date 19.10.2018) Seed potatoes under paragraph 3 shall be accompanied by a phytosanitary (plant) passport issued by the BFSA in accordance with Regulation No. 8 of 2015.

(5) Field inspections and quality evaluation may be performed by IASAS inspectors at the request of the producer.

Article 43c. (New, SG No. 49/2009, effective date 30.06.2009) (1) Seed potatoes of conservation varieties may be produced and certified only in the region of origin identified in accordance with Article 77 of Regulation No. 77 of 2006 on the procedures for acceptance for entry 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. 87/2018, effective date 19.10.2018) Where the conditions for production and certification of seed potatoes of conservation varieties under Article 43b 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 potatoes which are produced and certified in these regions may be marketed only in the identified regions of origin.

(3) (Amended, SG No. 87/2018, effective date 19.10.2018) The Ministry of Agriculture, Food and Forestry/IASAS 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, 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 43d. (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 43b.

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

(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. 87/2018, effective date 19.10.2018) 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;

1. (Amended, SG No. 87/2018, effective date 19.10.2018) sampling and quality evaluation shall be carried out in accordance with methods approved by the Minister of Agriculture, Food and Forestry pursuant to Article 31(6) SPMA;

(5) Field inspections under paragraph 2 shall be carried out to check that the seed crop complies with the certification requirements provided for in Article 43b(3)(1). Producers shall draw up field inspection statements, indicating the varietal purity of the seed crop.

(6) Samples shall be drawn from lots of seed, which have already been handled, for the purposes of the evaluation of the quality.

(7) The minimum weight of samples is specified in Article 28(6).

(8) The quality of seed potatoes shall be evaluated to check that they satisfy the conditions laid down in Article 43b(3)(2) and a document shall be issued on the quality evaluation of seed potatoes of conservation varieties.

(9) Where the seed satisfies the conditions laid down in Article 43b(3)(1) and (2), producers of seed of conservation varieties shall issue a document on the seed potatoes of conservation varieties, stating the varietal purity and the results of the quality evaluation of the seed potatoes.

Article 43e. (New, SG No. 49/2009, effective date 30.06.2009) (1) Where seed potatoes of conservation varieties are handled, the requirements provided for in Article 15(2) and (3) with regard to the size of the tubers shall not be mandatory in their sorting. Producers may accept size different from the size provided for therein and may decide not to divide seed potatoes into size groups provided that the allowable size of the tubers ensures the quality of the seed.

(2) Seed potatoes of conservation varieties may be marketed in homogeneous lots in sealed packages or containers bearing a sealing device pursuant to paragraph 4.

(3) 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 43f of the package and/or the container.

(4) Any sealing system shall include at least the label under Article 43f and a stamp or a seal may be affixed to ensure the sealing of the packages and containers under paragraph 3.

Article 43f. (New, SG No. 49/2009, effective date 30.06.2009) Packages and containers of seed potatoes of local 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. 6.

Article 43g. (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 43c, paragraphs 2 through 4;

2. marketing takes place in its region of origin.

(2) (Amended, SG No. 87/2018, effective date 19.10.2018) By way of derogation from paragraph 1, subparagraph 2, 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 43h shall be reserved (guaranteed) through control by the IASAS to conserve the variety in its region of origin.

(4) (Amended, SG No. 87/2018, effective date 19.10.2018) The Ministry of Agriculture, Food and Forestry shall inform the EC and to the Member States of approved regions under paragraph 2.

(5) Where additional regions for seed production have been approved in accordance with Article 43c, paragraphs 2 through 4, the derogation provided for in paragraph 2 for additional regions shall not be used.

Article 43h. (New, SG No. 49/2009, effective date 30.06.2009) (1) The quantity of seed potatoes of a conservation variety, which is marketed within the territory of the country, shall not exceed:

1. 0.3% of the total quantity of seed potatoes used in one growing season (farming year); or

2. a quantity necessary to sow 100 ha.

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

(3) The total quantity of seed of all conservation varieties 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 43i. (New, SG No. 49/2009, effective date 30.06.2009) (1) (Amended, SG No. 87/2018, effective date 19.10.2018) Producers of seed potatoes of conservation varieties shall notify the MAFF before the beginning of each production season of 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. 87/2018, effective date 19.10.2018) If the declared size of the areas under 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 43h, the MAFF shall allocate to each producer concerned the quantity it may market in the respective production season (farming year).

Article 43j. (New, SG No. 49/2009, effective date 30.06.2009) (1) (Amended, SG No. 87/2018, effective date 19.10.2018) 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 potatoes marketed comply with the provisions of Article 43h.

(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 43b(3)(1).

Article 43k. (New, SG No. 49/2009, effective date 30.06.2009) (1) Producers of seed potatoes 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. 87/2018, effective date 19.10.2018) Producers/traders of seed potatoes 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 potatoes of each conservation variety marketed in the country.

Chapter Ten

CONTROL OF THE SEED PLACED ON THE MARKET

Article 44. (1) (Amended, SG No. 87/2018, effective date 19.10.2018) The IASAS and the BFSAs shall carry out the control of the seed placed on the market in accordance with Chapter Eight of the SPMA.

(2) (Amended, SG No. 87/2018, effective date 19.10.2018) The control of the seeds on the market, which is carried out by the IASAS and the BFSAs under paragraph 1, shall be performed through checks to ensure the compliance of the seed with the requirements laid down in this Regulation.

Article 45. (1) Where temporary experiments are organised by the European Commission in relation to the implementation of specific provisions of Directive 2002/56/EC, the Republic of Bulgaria may be released from certain obligations laid down in this Directive, 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 seven years.

(2) 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 potatoes marketed in accordance with Directive 2002/56/EC transposed with this Regulation, which are conducted within the territory of the European Community.

(3) The comparative tests and trials may include also seed:

1. produced in third countries;
2. for organic production;
3. marketed in relation to its conservation in its natural environment and to its long-term use and genetic plant resources.

Article 46. (1) (Amended, SG No. 87/2018, effective date 19.10.2018) In order to remove any temporary difficulties in the general supply of seed potatoes, that occur in the Community and cannot be otherwise overcome, the Minister of Agriculture, Food and Forestry may permit, for a specified period, the marketing of certain quantities of seed potatoes in accordance with an EC decision:

1. deviating from the requirements of this Regulation, or
2. seed potatoes 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 under 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 under paragraph 1, subparagraph 2 shall be brown.

Article 47. (1) The introduction of any additional restrictions with regard to the characteristics, conditions for testing (certification), packaging and labelling of seed potatoes placed on the market other than those provided for in Directive 2002/56/EC and transposed with this Regulation shall not be allowed.

(2) The European Commission may, at the request of this country, allow the marketing throughout the territory of the country or a part thereof of seed potatoes which have to comply with more stringent requirements than those provided for in Annexes I and II of Directive 2002/56/EC and Annexes Nos. 1 and 2 of this Regulation respectively. The measures shall apply to harmful organisms, which do not exist in the country or in specific regions or which appear particularly harmful to crops.

(3) Where there is imminent danger of the introduction or spread of harmful organisms referred to in paragraph 2, and until such time as the Commission has given a final ruling on the matter, such measures may be taken by this country as soon as its request has been submitted.

SUPPLEMENTARY PROVISIONS

§ 1. For the purposes of this Ordinance:

1. "Official label" means a label issued by the IASAS or a certifying/supervisory authority of a seed exporting country.
2. "Official seals" means devices marked with the acronym of a certification/control authority, which are used in the package sealing systems.
3. "Growing trials" means a basic method of verification of the varietal identity and purity through field testing of the seed crop on the parcel.
4. "ELISA test" means a laboratory assay to check the health condition of seed potatoes.
5. "Size group" means the quantity of seed potatoes of the same size, which is obtained in the sorting of potatoes.
6. "Potato germination inhibitor" means a substance blocking the physiological process of germination of potatoes.

7. "Initial seed potatoes (initial material)" means seed potatoes derived through the methods of tissue cultures or clonal selection in the process of maintaining the variety, which are intended for production of basic seed grades.

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.

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.

§ 2. The supply of seed potatoes by natural or legal persons on the basis of a contract for the production of agricultural raw materials intended for industrial use or re-propagation of seed potatoes for the same purpose, except for the cases under § 2 SPMA, shall not be considered to be marketing of seed potatoes provided that the persons providing these services/performing these activities do not become holders/owners of the seed supplied or of the products/yeild of such seed. Seed suppliers shall submit a copy of the contract to the IASAS.

§ 3. The specific conditions for the application of § 2 shall be established by the European Commission in accordance with the relevant procedure.

§ 4. (Amended, SG No. 79/2015, effective date 1.01.2016, supplemented, SG No. 25/2017, effective date 1.04.2017, amended and supplemented, SG No. 57/2020, effective date 26.06.2020) This Regulation transposes Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes (OJ L 193, 20.7.2002, p. 60); Council Directive 2003/61/EC of 18 June 2003 amending Directives 66/401/EEC on the marketing of fodder plant seed, 66/402/EEC on the marketing of cereal seed, 68/193/EEC on the marketing of material for the vegetative propagation of the vine, 92/33/EEC on the marketing of vegetable propagating and planting material, other than seed, 92/34/EEC on the marketing of propagating and planting material of fruit plants, 98/56/EC on the marketing of propagating material of ornamental plants, 2002/54/EC on the marketing of beet seed, 2002/55/EC on the marketing of vegetable seed, 2002/56/EC on the marketing of seed potatoes and 2002/57/EC on the marketing of seed of oil and fibre plants as regards Community comparative tests and trials (OJ L 165, 3.7.2003); 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, 21.6.2008, p. 13), Articles 10 through 20; Commission Implementing Directive 2013/63/EU of 17 December 2013 amending Annexes I and II to Council Directive 2002/56/EC as regards minimum conditions to be satisfied by seed potatoes and lots of seed potatoes (OJ L 341, 18.12.2013); 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, 5.3.2016) 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

§ 5. This Regulation is issued pursuant to Article 29(6)(5) of the Seed and Propagating Material Act.

§ 6. This Regulation hereby repeals Regulation No. 61 of 2003 on the production and marketing of seed potatoes (Promulgated, SG No. 10/2004; Amended and supplemented, SG No. 10/2006).

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

Supplementary Provisions

AMENDING REGULATION TO REGULATION No. 16 OF 2008 ON THE MARKETING OF SEED POTATOES WITHIN THE EUROPEAN UNION

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

§ 5. 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, 21.6.2008, p. 13), Articles 10 through 20.

Final Provisions

AMENDING REGULATION TO REGULATION No. 16 OF 2008 ON THE MARKETING OF SEED POTATOES WITHIN THE EUROPEAN UNION

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

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

Final Provisions

AMENDING REGULATION TO REGULATION No. 16 OF 2008 ON THE MARKETING OF SEED POTATOES WITHIN THE EUROPEAN UNION

(PROMULGATED, SG No. 79/2015, EFFECTIVE DATE 01.01.2016)

§ 4. This Regulation shall enter into force on 1 January 2016.

Final Provisions

AMENDING REGULATION TO REGULATION No. 21 OF 2007 ON THE MARKETING OF FODDER PLANT SEED WITHIN THE EUROPEAN UNION

(PROMULGATED, SG No. 25/2017, EFFECTIVE DATE 01.04.2017)

§ 9. The Regulation shall enter into force on 1 April 2017.

Final Provisions

AMENDING REGULATION TO REGULATION No. 13 OF 2004 SETTING OUT THE PROCEDURES FOR GRANTING AUTHORISATIONS TO PRODUCERS AND HANDLERS OF SEED AND PROPAGATING MATERIAL OR FOR REGISTRATION OF TRADERS OF SEED AND PROPAGATING MATERIAL

(PROMULGATED, SG No. 87/2018, EFFECTIVE DATE 19.10.2018)

§ 29. Regulation No. 16 of 2008 on the marketing of seed potatoes within the European Union (Promulgated, SG No. 54/2008, amended, No. 49/2009, 79/2015, supplemented, No. 25/2017) shall be amended as follows:

.....

5. The words "Minister of Agriculture and Food" shall be replaced by the words "Minister of Agriculture, Food and Forestry", the words "Ministry of Agriculture and Food" shall be replaced by the words "Ministry of Agriculture, Food and Forestry", the words "Regulation No. 78 of

2006 on the production and marketing of basic seed potatoes of the relevant grades on the market of the European Union" shall be replaced by the words "Regulation No. 15 of 2015", the acronym "MAF" shall be replaced by the acronym "MAFF", and the acronym "NPPS" shall be replaced by the acronym "BFSA" everywhere in the text.

.....

§ 33. 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 promulgation in The State Gazette.

Annex No. 1 to Article 4(1)(3)
(Amended, SG No. 79/2015, effective date 1.01.2016, amended, SG No. 57/2020, effective date 26.06.2020)

Requirements to potatoes during field inspections

I. Technological rules for spatial isolation

Spatial isolation requirements	Spatial isolation - minimum distance in m	
	basic seed crops	certified seed crops
1. From potato crops for consumption and tobacco crops	25	1
2. Between varieties and categories	1	-

II. (Amended, SG No. 57/2020, effective date 26.06.2020) Conditions to be satisfied during field inspections

1. For basic seed - the total number of plants not breeding true to the variety and the number of plants of a different variety does not exceed 0.1% and their total number in the direct progeny does not exceed 0.25%.
2. For certified seed - the total number of plants not breeding true to the variety and the number of plants of a different variety does not exceed 0.5% and their total number in the direct progeny does not exceed 0.5%.
3. Seed potatoes shall comply with the following requirements with regard to the presence of regulated non-quarantine pests (RNQPs) or diseases caused by RNQPs in the relevant categories as indicated in the following table:

RNQP or symptoms caused by RNQP;	Threshold for plants grown for basic seed potatoes	Threshold for plants grown for certified seed potatoes
Blackleg disease (<i>Dickeya Samson et al. spp.</i> [1DICKG]; <i>Pectobacterium Waldee emend. Hauben et al. spp.</i> [1PECBG])	1.0%	4.0%
<i>Candidatus Liberibacter solanacearum</i> Liefting <i>et al.</i> [LIBEPS]	0%	0%
<i>Candidatus Phytoplasma solani</i> Quaglino <i>et al.</i> [PHYPSO]	0%	0%
Formation of mosaic spots caused by viruses and symptoms caused by the potato leaf roll virus [PLRV00]	0.8%	6.0%

Potato spindle tuber viroid [PSTVD0]	0%	0%
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RNQP or symptoms caused by RNQP;	Threshold for the presence of RNQP in the direct progeny of basic seed potatoes	Threshold for the presence of RNQP in the direct progeny of certified seed potatoes
Symptoms of a viral infection	4.0%	10.0%

4. The maximum number of progeny generations of basic seed potatoes shall not exceed four, and the total number of progeny generations of pre-basic seed potatoes grown in the field and basic seed potatoes shall not exceed seven.

The maximum number of progeny generations of certified seed potatoes shall be two.

If the generation is not specified on the official label, it shall be assumed that the seed potatoes belong to the generation with the biggest number authorised for the relevant category.

Annex No. 2 to Article 4(1)(3)

(Amended, SG No. 79/2015, effective date 1.01.2016, amended, SG No. 57/2020, effective date 26.06.2020)

Minimum quality requirements to lots of seed potatoes

The following levels of earth and extraneous matter, blemishes and RNQP or symptoms caused by RNQP shall be allowed in seed potatoes:

1. presence of earth and extraneous matter: 1.0% by weight for basic seed potatoes and 2.0% by weight for certified seed potatoes;
2. dry and wet rots, other than the cases caused by *Synchytrium endobioticum*, *Clavibacter michiganensis* ssp. *sepedonicus* or *Ralstonia solanacearum*: 0.5% by weight, of which wet rot 0.2% by weight;
3. external blemishes, for example misshapen or damaged tubers: 3.0% by weight;
4. common scab over more than one third of the surface of tubers: 5.0% by weight;
5. shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf: 1.0% by weight;
6. RNQP or symptoms caused by RNQP in the lots of seed potatoes as indicated in the following table:

RNQP or symptoms caused by RNQP;	Threshold for the presence of RNQP in basic seed potatoes by weight	Threshold for the presence of RNQP in certified seed potatoes by weight
<i>Candidatus Liberibacter solanacearum</i> Liefting <i>et al.</i>	0%	0%
<i>Ditylenchus destructor</i> Thorne [DITYDE]	0%	0%
Black scurf affecting more than 10% of the surface of the tubers caused by <i>Thanatephorus cucumeris</i> (A.B. Frank) Donk [RHIZSO]	5.0%	5.0%
Powdery scab affecting more than 10% of the surface of the tubers caused by <i>Spongospora subterranea</i> (Wallr.) Lagerh. [SPONSU]	3.0%	3.0%

7. total tolerance under points 2 through 6: 6.0% by weight for basic seed potatoes and 8.0% by weight for certified seed potatoes.

Annex No. 3 to Article 7 (2)

Minimum requirements to the conduct of post-control

Table

Requirements	Levels					
	Basic seed, %				Certified seed, %	
	EC grade 1	EC grade 2	EC grade 3	basic seed without designation of the grade (Directive 2002/56/EC)	Grade A	Grade B
1	2	3	4	5	6	7
I. ELISA test						
Plants exhibiting symptoms of a mild viral infection (caused by XS and M viruses) or an acute viral infection (caused by L and Y viruses) - total	0.5	0.5	1	4	8	10
II. Field testing of the varietal identity and purity						
1. Varietal purity						
Plants not breeding true to the variety and plants of a different variety	0.5	1	1	1	3	3
2. Plants exhibiting symptoms of a mild (mosaic) or acute (leaf roll and sclerotia - black scurf) viral infection - total	0.5	0.5	1	4	8	10

Note. Post-control of certified seed potatoes grade B shall be carried out in the cases provided for in Article 36(2) and (3).

Annex 4 to Article 20 (1)

(Amended and supplemented, SG No. 25/2017, effective date 01.04.2017, amended, SG No. 87/2018, effective date 19.10.2018, amended, SG No. 57/2020, effective date 26.06.2020)

Particulars to be specified on the official label

I. The official label of seed potatoes in the relevant categories shall contain the following particulars:

1. EC rules and regulations;
2. control/certification authority and Member State or their distinguishing abbreviation - Republic of Bulgaria (or BG), IASAS, Sofia, 125 Tsarigradsko Chausse (within the country);
- 2a. (New, SG No. 25/2017, effective date 01.04.2017) officially assigned serial number;
3. species, indicated in Roman characters, under its botanical name; for seed produced within the country also the name indicated in Cyrillic characters;
4. variety, indicated in Roman characters; for seed produced within the country also the name indicated in Cyrillic characters;
5. category and grade;
6. lot identification number (mandatory for seed produced within the country) or producer's registration number;
7. origin of the seed - state;
8. month and year of sealing or sampling (mandatory for seed produced within the country);
9. declared net weight;
10. size group - quantity;
11. other information:
 - (a) (Amended, SG No. 87/2018, effective date 19.10.2018) Bulgarian Food Safety Agency (BFSA) - within the country;

- (b) registration number of the persons - in accordance with the official registry for phytosanitary control (within the country);
 - (c) (Amended, SG No. 25/2017, effective date 01.04.2017, amended, SG No. 57/2020, effective date 26.06.2020) plant passport with the following designations:
 - (aa) for movement within the Union territory:
 - (aaa) the words "plant passport" written in Bulgarian and in English divided by a slash in the upper-right corner of the common label;
 - (bbb) the Union logo printed in colour or in black-and-white in the upper-left corner of the common label;
 - (bb) for introduction and movement within protected areas:
 - (aaa) the words "plant passport - PZ" written in Bulgarian (ZZ) and in English (PZ) divided by a slash in the upper-right corner of the common label;
 - (bbb) the scientific name or code of the relevant quarantine pest(s) of significance for the protected area immediately below these words;
 - (ccc) the Union logo printed in colour or in black-and-white in the upper-left corner of the common label;
- II. Minimum dimensions of labels - 110mm x 67 mm

Annex No. 5 to Article 34(1)(6)

Label for pre-basic seed (seed of generations prior to basic seed)

- I. The official label of pre-basic seed potatoes shall contain the following particulars:
1. state - Republic of Bulgaria (for seed produced within the country);
 2. control/certification authority and Member State or their distinguishing abbreviation - Republic of Bulgaria (or BG), IASAS, Sofia, 125 Tsarigradsko Chausse (within the country);
 3. species, indicated at least in Roman characters, under its botanical name, which may be given in abridged form and without the authors' names, or under its common name, or both; for seed produced within the country - the botanical name written in Roman characters and the name of the species in Cyrillic characters;
 4. variety, indicated in Roman characters and in Cyrillic characters (for seed produced within the country);
 5. the designation "pre-basic seed (PB)" or, in the cases of initial seed as pre-basic seed, the designation "pre-basic seed (PB) for basic seed grade/and..." (for seed produced within the country);
 6. lot identification number (mandatory for seed produced within the country) and/or producer's registration number;
 7. month and year of sealing or sampling (mandatory for seed produced within the country).
- II. Minimum dimensions of labels – 110 mm x 67 mm

Annex No. 6 to Article 43f

(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), written in the following way: "Sealed in ... (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.