

**REGULATION No. 19 OF 5 MAY 2005 ON THE PRODUCTION AND MARKETING  
OF VEGETABLE PROPAGATING AND PLANTING MATERIAL  
OTHER THAN SEED**

*Effective date 15 June 2006*

*Issued by the Minister of Agriculture and Forestry*

*Promulgated, SG No. 51 of 15 June 2004, amended, SG No. 42 of 23 May 2006, amended, SG No. 20 of 6 March 2007, amended, SG No. 45 of 8 June 2007, amended, SG No. 18 of 4 March 2014, amended, SG No. 30 of 9 April 2019, amended and supplemented, SG No 17 of 25 February 2020, amended and supplemented, SG No. 57 of 26 June 2020*

**Chapter One  
GENERAL PROVISIONS**

**Article 1.** (1) (Amended, SG No. 20/2007, effective date 06.03.2007) This Regulation shall apply to:

1. the conditions for the quality, health, packaging and labelling of vegetable propagating and planting material in accordance with Directive 92/33/EEC and Directive 93/61/EEC transposed with this Regulation;
2. the list of specific harmful organisms and diseases liable to affect the quality of vegetable propagating and planting material laid down in Annex No. 2;
3. the approval of the vegetable propagating and planting material which satisfies the conditions provided for in subparagraph 1;
4. the placement of vegetable propagating and planting material on the market of the Community;
5. the implementing measures concerning the supervision and monitoring of suppliers and/or establishments producing and/or marketing vegetable propagating and planting material in accordance with Directive 93/62/EEC transposed with this Regulation.

(2) (Amended, SG No. 42/2006, effective date 01.01.2007, amended, SG No. 20/2007, effective date 06.03.2007, amended, SG No. 30/2019, effective date 09.04.2019) This Regulation shall apply to propagating and planting material intended for the production of vegetables of the varieties and/or hybrids of the vegetable plants listed in Annex No. 1 in accordance with Directive 92/33/EEC and, where appropriate, in accordance with Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community transposed with Regulation No. 8 of 2015 on phytosanitary control (SG No. 19/2015).

(3) (New, SG No. 42/2006, effective date 01.01.2007, amended and supplemented, SG No. 20/2007, effective date 06.03.2007) Where parts of plants (rootstocks) of other species pursuant to Article 4 of Directive 93/61/EEC other than those listed in Annex No. 1 are used as propagating material (components) to develop varieties and/or hybrids of vegetable propagating and planting material, they shall belong to species listed in the relevant regulations pursuant to Article 29(6) of the Seed and Propagating Material Act (SPMA) and in accordance with Directive 2000/29/EC.

**Article 2.** (Amended, SG No. 42/2006, effective date 01.01.2007) (1) (Amended, SG No. 45/2007, effective date 01.07.2007) Vegetable propagating and planting material shall be produced from varieties and/or hybrids of species listed in Annex No. 1, which are also intended for production of vegetable seed provided for in Annex No. 1 of Regulation No. 96 of 8 August 2006 on the marketing of vegetable seed within the European Union (SG, No. 71/2006).

(2) The varieties and/or hybrids of the species which can be used for the production of either vegetable seed or vegetable propagating and planting material shall be included either in the Official Variety List of the Republic of Bulgaria issued by the Executive Agency for Variety Testing, Field Inspection and Seed Control (IASAS) and/or included in the Common Catalogue of the European Union (EU) issued by the European Commission (EC) or included in the catalogue of at least one EU Member State in accordance with Directive 70/457/EEC (replaced by Directive 2002/53/EC) on the common catalogue of varieties of agricultural plant species and Directive 70/458/EEC (replaced by Directive 2002/55/EEC of 13 June 2002) on the marketing of vegetable seed.

(3) The vegetable propagating and planting material produced pursuant to paragraph 2 may be marketed either only within the country and/or within the EU.

(4) (Amended, SG No. 45/2007, effective date 01.07.2007) Vegetable propagating and planting material of the species listed in Annex No. 1, which are not listed in Annex No. 1 of Regulation No. 96 of 8 August 2006 on the marketing of vegetable seed within the European Union may be produced from varieties or hybrids of these species provided that they are included in the Official Variety List of the Republic of Bulgaria and then marketed only within the country or, if included in the catalogue of at least one EU Member State, then it may be marketed also within the EU.

**Article 3.** (1) (Amended, SG No. 45/2007, effective date 01.07.2007) Vegetable propagating and planting material shall be produced from vegetable seed in accordance with Regulation No. 96 of 8 August 2006 on the marketing of vegetable seed within the European Union.

(2) Vegetable propagating and planting material shall be produced by multiplication or by grafting.

(3) Vegetable propagating and planting material shall be used for the production of planting material or for the production of vegetables.

**Article 4.** (Amended, SG No. 45/2007, effective date 01.07.2007) Vegetable planting material intended for the production of vegetables shall be produced from vegetable seed in accordance with Regulation No. 96 of 8 August 2006 on the marketing of vegetable seed within the European Union or from vegetable propagating material.

## **Chapter Two**

### **CONDITIONS AND PROCEDURE FOR THE APPROVAL OF VEGETABLE PROPAGATING AND PLANTING MATERIAL**

**Article 5.** (1) (Amended, SG No. 42/2006, effective date 01.01.2007, amended, SG No. 30/2019, effective date 09.04.2019) Vegetable planting material shall be produced by persons who have been found by the IASAS to satisfy the conditions laid down in Article 28(1) SPMA and to comply with the production methods and with the requirements to the premises pursuant to Article 48(1), (3) and (4) SPMA, and with the requirements laid down in this Regulation.

(2) The persons referred to in paragraph 1 shall submit a declaration to the territorial unit of the Executive Agency for Variety Testing, Field Inspection and Seed Control (IASAS) in the regions of which the relevant production areas are located, indicating the location and size of the areas in which the vegetable planting material is produced, the species and variety, and details of the initial material.

(3) The declaration referred to in paragraph 1 shall be submitted within 30 days of the sowing (planting).

(4) (Amended, SG No. 42/2006, effective date 01.01.2007) Paragraph 1 shall not apply to "small producers".

**Article 6.** (1) For the purposes of paragraph 1, producers of vegetable propagating and planting material shall perform their own checks in the production process:

(2) Producers shall carry out these checks:

1. to identify the critical points in the production process on the basis of the production methods used in the process;
2. to develop and introduce methods to check and monitor the critical points under subparagraph 1.

**Article 7.** (Amended, SG 57/2020, effective date 26.06.2020) (1) Vegetable propagating and planting material shall, at least on visual inspection, be substantially free, at the place of production, from any harmful organisms listed in Annex No. 2 in respect of the propagating and planting material concerned.

(2) The presence of regulated non-quarantine pests (RNQPs) on vegetable propagating and planting material that is marketed shall, at least upon visual inspection, not exceed the respective thresholds set out in Annex No. 2.

(3) Vegetable propagating and planting material shall, upon visual inspection, be found to be substantially free from any pests, other than the pests listed in the Annex with regard to the respective propagating and planting material, which reduce the usefulness and quality of the vegetable propagating and planting material.

(4) Vegetable propagating and planting material shall also comply 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) 2016/20131 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) Nos. 228/2013, 652/2014 and 1143/2014 of the European Parliament and of the Council and repealing Council Directives 1143/2014/EEC, 69/464/EEC, 74/647/EEC, 93/85/EC, 98/57/EC, 2000/29/EC and 2006/91/EC (OJ L 2007/33) and the measures referred to in Article 30(1) Regulation (EU) 2016/2031.

**Article 8.** (1) (Amended, SG No. 30/2019, effective date 9.04.2019) Producers shall keep records of all details referred to in Article 6(2) and all occurrences of harmful organisms on his premises and of all measures taken in relation to such occurrences in accordance with Annex No. 2 and Regulation No. 8 of 2015 on phytosanitary control.

2 (Amended, SG No 30/2019, effective date 9.04.2019) The producer shall store the records referred to in paragraph 1 for three years as from the date of development of the crops and make it available to be verified, on request, by the IASAS or the BFSA.

**Article 9.** (1) Vegetable propagating and planting material shall be identified with a variety, the varietal identity and purity of which shall comply with the varietal characteristics in its description.

(2) The varietal identity and purity of vegetable propagating and planting material shall be monitored by the producer at the time of the own examinations of the crops when the varietal characteristics of the species are clearly visible.

(3) The minimum distance for spatial isolation of the plants shall be 0.2 meters.

**Article 10.** (1) (Ex Article 10, SG No. 20/2007, effective date 06.03.2007) The quality of the vegetable propagating and planting material intended for marketing shall be established by the producer in accordance with the specific characteristics of the plant species.

(2) (New, SG No. 20/2007, effective date 06.03.2007) Vegetable propagating and planting material shall be substantially free from defects likely to impair its quality as propagating or planting material.

**Article 11.** (1) Vegetable propagating and planting material of the same cropping of the same variety shall be handled in a homogeneous separate lot.

(2) (Supplemented, SG No. 42/2006, effective date 01.01.2007) Vegetable propagating and planting material which satisfies the conditions pursuant to Article 7, 9 and 10 shall be marketed in packages by lots. If vegetable propagating and planting material of the same species and

variety but of different origins is put together in the same lot or mixed during packaging, storage, transport or at delivery, the producer and/or trader shall indicate the following data in the corporate document referred to in Article 12(1): composition of the lot and origin of the individual components.

(3) Producers shall handle and package lots in a way that is appropriate for the variety in containers, bundles, pots, cardboard boxes, crates, and closed packages.

(4) (Amended, SG No. 42/2006, effective date 01.01.2007, amended, SG No. 20/2007, effective date 06.03.2007) A producer's label shall be affixed on the packaging pursuant to Article 11 of Directive 92/33/EEC, containing the details listed in Annex No. 3. The label shall be made out of an appropriate material which has not been used previously and the information thereon shall be printed in at least one of the languages in the Community.

(5) (Amended, SG No. 42/2006, effective date 01.01.2007) Paragraphs 3 and 4 shall not apply to small producers.

(6) In the case of supply of vegetable propagating and planting material to a final consumer, the persons referred to in paragraph 5 shall mark it in an appropriate way enabling the identification of the species and variety.

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

**Article 12.** (1) Producers of vegetable propagating and planting material shall make out a corporate document on the quality of the material with the particulars listed in Annex No. 3, the number of the health plant document (if any), the varietal purity and the quality of the propagating or planting material.

(2) Paragraph 1 shall not apply to producers whose vegetable planting material is intended for the supply of single plants only to final consumers.

(3) (New, SG No. 42/2006, effective date 01.01.2007, amended, SG No. 30/2019, effective date 9.04.2019) The producers referred to in paragraph 1 shall indicate in the corporate document, where appropriate, the number of the phytosanitary (plant) passport pursuant to Regulation No. 8 of 2015 on phytosanitary control in accordance with Commission Directive 92/105/EEC of 3 December 1992 establishing a degree of standardization for plant passports to be used for the movement of certain plants, plant products or other objects within the Community, and establishing the detailed procedures related to the issuing of such plant passports and the conditions and detailed procedures for their replacement.

**Article 13.** (1) (Ex Article 13, SG No. 42/2006, effective date 01.01.2007, supplemented, SG No. 20/2007, effective date 06.03.2007, amended, SG No. 30/2019, effective date 09.04.2019) The Executive Agency for Variety Testing, Field Inspection and Seed Control and the BFSA shall check the production, handling and marketing of vegetable propagating and planting material, as well as producers and/or traders to verify their compliance with the requirements set out in this Regulation.

(2) (New, SG No. 42/2006, effective 01.01.2007) At the time of the checks referred to in paragraph 1, a person authorised by the Executive Director of the IASAS may draw samples for growing trials to verify the identity and varietal purity of the vegetable propagating and planting material.

**Chapter Three**  
**PLACEMENT OF VEGETABLE PROPAGATING AND PLANTING**  
**MATERIAL ON THE MARKET**

**Section I**  
**Imports and exports of vegetable propagating and planting material**

**Article 14.** (1) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall check the compliance of imported vegetable propagating and planting material with the contents of the accompanying corporate document.

(2) For the purpose of checking the compliance of the vegetable propagating and planting material with the contents of the corporate document, a person authorised by the Executive Director of the IASAS shall draw samples on the spot to establish the quality of the material.

(3) The person referred to in paragraph 2 shall issue a document on the quality of the vegetable propagating and planting material to be marketed within the country in the format approved by the Executive Director of the IASAS.

(4) If the quality of the vegetable propagating and planting material does not comply with the contents of the accompanying corporate document, this material shall be exported or destroyed.

**Article 15.** (1) (Ex Article 15, SG No. 42/2006) Vegetable propagating and planting material which is intended for export shall be accompanied by the corporate document referred to in Article 12.

(2) (New, SG No. 42/2006, effective date 01.01.2007, amended, SG No. 20/2007, effective 06.03.2007, amended, SG No. 30/2019, effective date 09.04.2019) Vegetable propagating and planting material (intended for propagation or for the production of vegetables) which is intended for export to third countries may be exempted from the requirements set out in this Regulation, except the requirements for varietal identity and purity provided for in Article 9 and the health requirements listed in Annex No. 2 of this Regulation and in Regulation No. 8 of 2015 on phytosanitary control and Directive 2000/29/EC respectively.

(3) (New, SG No. 42/2006, effective date 01.01.2007) Vegetable propagating and planting material shall be kept in a way which isolates the material from sources of infection to safeguard its health pursuant to paragraph 2.

(4) (New, SG No. 42/2006, effective date 01.01.2007) The conditions to be satisfied by vegetable propagating and planting material which is intended for export to this countries, including those as regards its identity, health and storage pursuant to paragraph 3, may be established with EC acts issued in accordance with the EU legislation.

**Article 15a.** (New, SG No. 42/2006, effective date 01.01.2007) (1) (Amended, SG No. 45/2007, effective 01.07.2007, amended, SG No. 30/2019, effective date 09.04.2019) Vegetable propagating and planting material produced in a third country may be imported to this country without prejudice to Articles 13, 14, 57 and 58 SPMA provided that it is equivalent in respect to identity and varietal purity, quality, plant health, packaging and marking with those provided for in this Regulation and in Regulation No. 8 of 2015 on phytosanitary control and Directive 2000/29/EC respectively.

(2) The propagating and planting material referred to in paragraph 1 may be imported under conditions different from those mentioned above on the grounds of EC acts issued in accordance with the EU legislation.

## **Section II Marketing**

**Article 16.** (1) Vegetable propagating and planting material intended for the production of vegetables shall be marketed if it satisfies the conditions laid down in Articles 7, 9 and 10 and has been produced by persons authorised pursuant to Article 28(2) SPMA.

(2) Vegetable propagating and planting material shall be marketed provided that it is accompanied by a clear and legible copy of the corporate document referred to in Article 12(1) attested with the stamp and signatures of the persons entered in the register pursuant to Article 28(4) SPMA.

(3) This copy shall indicate the name or company of the buyer, the quantity of propagating or planting material sold, and the date of the sale.

(4) The details listed in paragraph 3 shall be entered into the records on the origin and quantity of propagating and planting material pursuant to Article 62(1) SPMA. The seller shall sign each entry in the records.

(5) Paragraphs 1 to 4 shall also apply to the persons referred to in Article 28(4), who engage in the marketing of vegetable propagating and planting material which has not been produced and packaged by them.

(6) (Amended, SG No. 42/2006, effective 01.01.2007) Paragraphs 2, 3 and 4 shall not apply to "small producers".

## **Section III Control of the vegetable propagating and planting material which is produced and marketed**

(New, SG No. 42/2006, effective 01.01.2007)

**Article 17.** (New, SG No. 42/2006, effective date 01.01.2007) (1) (Amended, SG No. 30/2019, effective date 09.04.2019) The control of vegetable propagating and planting material shall be carried out by the IASAS and the BFSA through checks pursuant to Article 13 of this Regulation and Article 48(5) and (6) and Articles 63 to 65 SPMA.

(2) (Amended, SG No 30/2019, effective date 9.04.2019) The bodies referred to in paragraph 1 shall check the compliance of the producers with the requirements laid down in Article 28(1) SPMA at least once a year and carry out random checks of vegetable propagating and planting material placed on the market to verify the compliance of the material with the statutory requirements.

(3) In the cases in which it is found that the producer and/or trader does not safeguard compliance of the vegetable propagating and planting material produced and/or traded and these non-compliances cannot be eliminated, the material shall be withdrawn from the market within this country or the EU.

(4) (Amended, SG No. 30/2019, effective date 9.04.2019) Where it has been established in a re-performed check by the IASAS and/or the BFSA that the producer and/or trader referred to in paragraph 3 has created conditions so that production will, in future, comply with the requirements of this Regulation, the vegetable plant propagating and planting material may be marketed.

**Article 18.** (New, SG No. 42/2006, effective 01.01.2007) (1) The EC may organize verification on the spot in the EU Member States to ensure uniform application by producers and/or traders everywhere of the provisions of Directive 92/33/EEC and this Regulation respectively.

(2) (Amended, SG No 30/2019, effective date 09.04.2019) The checks referred to in paragraph 1 shall be carried out with the assistance of the IASAS and the BFSA that shall provide full support, where necessary, to the EC experts in the discharge of their duties. These checks shall be carried out on the grounds of EC acts adopted in accordance with the EU legislation.

(3) (Amended, SG No. 30/2019, effective date 09.04.2019) Where it is found in the checks that the vegetable propagating and planting materials produced and marketed within the country or within other Member States does not comply with certain requirements, including plant health requirements, the marketing of such material shall be suspended with EC acts adopted in accordance with the EU legislation, for which the Minister of Agriculture, Food and Forestry shall issue an order valid for the territory of this country.

(4) Where it has been established in a re-performed check by the EC that the producer and/or trader has created conditions so that production will, in future, comply with the requirements of this Regulation, the vegetable plant propagating and planting material may be marketed.

**Article 19.** (New, SG No. 42/2006, effective date 01.01.2007) (1) (Amended, SG No. 30/2019, effective date 09.04.2019) In order to harmonize and improve the technical methods and procedures of examination and control of vegetable propagating and planting material used, the EC may organize trials through sampling of vegetable propagating and planting material at the time of its production or marketing within the country or other EU Member States, including post-control verification, to check compliance of such products with the requirements of Directive 92/33/EEC and this Regulation respectively and also with Regulation No. 8 of 2015 on phytosanitary control. The IASAS and the BFSAs may take part in the trials organised by the EC.

(2) The trials organised by the EC may also cover:

1. vegetable propagating and planting material produced in third countries;
2. organically farmed vegetable propagating and planting material;
3. vegetable propagating and planting material intended for use to protect the environment and as genetic resources in areas threatened by genetic erosion.

(3) Trials and post-control verification shall be carried out pursuant to the relevant EC acts adopted in accordance with the EU legislation.

**Article 20.** (New, SG No. 42/2006, effective date 01.01.2007, amended, SG No. 45/2007, effective date 01.07.2007, amended, SG No. 30/2019, effective date 09.04.2019) In the event of temporary difficulties in the supply of vegetable propagating and planting material intended for propagation or for production of vegetables, measures may be adopted concerning the marketing of vegetable propagating and planting material meeting less stringent requirements, without prejudice to the plant-health rules, in accordance with this Regulation and Regulation No. 8 of 2015 on phytosanitary control and Directive 2000/29/EC respectively on the basis of an EC act adopted in accordance with the EU legislation.

#### **Chapter Four**

### **IMPLEMENTING MEASURES CONCERNING THE SUPERVISION AND MONITORING OF PRODUCERS AND/OR TRADERS OF VEGETABLE PROPAGATING AND PLANTING MATERIAL**

(New, SG No. 42/2006, effective 01.01.2007,

Heading amended, SG No. 20/2007, effective date 06.03.2007)

**Article 21.** (1) (New, SG No. 42/2006, effective date 01.01.2007, ex Article 21, supplemented, SG No. 20/2007, effective date 06.03.2007) Producers and/or traders of vegetable propagating and planting material shall carry out their activities pursuant to the SPMA and this Regulation in accordance with Directive 92/33/EEC.

(2) (New, SG No. 20/2007, effective date 06.03.2007, amended, SG No. 30/2019, effective date 9.04.2019) For the purposes of paragraph 1, producers and/or traders shall either carry out themselves, or have carried out by an accredited producer and/or tradersupplier or a responsible official body checks pursuant to Article 5(2) of Directive 92/33/EEC, other than the implementing measures concerning supervision and control pursuant to Article 6(4) of the said Directive which are carried out by the responsible official bodies (IASAS and/or BFSAs in this country).

**Article 22.** (New, SG No. 42/2006, effective date 01.01.2007) Producers of vegetable propagating and planting material shall implement the following measures in their activity:

1. keep full record of their overall activity, including the records referred to in Article 8;
2. the producer or an employee of the producer have the requisite qualifications in the production of vegetable propagating and planting material, the implementation of plant protection treatments, and the visual examination of the health condition of the crops;
3. (Amended, SG No. 20/2007, effective date 06.03.2007, amended, SG No. 30/2019, effective date 9.04.2019) carry out visual inspections (examinations) as necessary and at appropriate times (at the relevant plant development stages) in a manner established by the official bodies - IASAS and BFSA;
4. (Amended, SG No. 30/2019, effective date 9.04.2019) allow access and be available to the officials from the IASAS and/or the BFSA in the cases of crop monitoring, sampling and reviewing the documentation, as well as liaising with the IASAS and the BFSA.

**Article 23.** (New, SG No. 42/2006, effective date 01.01.2007) (1) Producers of vegetable propagating and planting material shall identify critical points in their production process on the basis of the production methods used.

(2) The critical points referred to in paragraph 1 shall be at least the following:

1. quality of the initial propagating material (input) used in the production process;
2. sowing/planting, emergence and development of the crops;
3. agri-technical treatments and plans thereof;
4. (Amended, SG No. 20/2007, effective date 06.03.2007, amended, SG No. 30/2019, effective date 9.04.2019) monitoring of the crops to establish their varietal purity and health condition pursuant to Annex No. 2 and without prejudice to Regulation No. 8 of 2015 on phytosanitary control and Directive 2000/29/EC respectively;
5. propagation operations;
6. plant protection treatments;
7. (Amended, SG No. 30/2019, effective date 9.04.2019) sampling to establish the health condition in a BFSA laboratory or, where necessary, a laboratory referred to in Article 8 SPMA;
8. harvesting;
9. packaging and labelling of vegetable propagating and planting material;
10. hygiene on production premises;
11. storage;
12. transport;
13. administration.

**Article 24.** (New, SG No. 42/2006, effective date 01.01.2007) (1) Producers of vegetable propagating and planting material shall keep records of:

1. (Amended, SG No. 20/2007, effective date 06.03.2007) the quantity of planting material (plants) produced;
2. (Amended, SG No. 20/2007, effective date 06.03.2007) other products, if any;
3. the purchase and/or renting of storage facilities or premises to grow and/or store the propagating and planting material;
4. plant protection treatments - number of chemical treatments; targeted diseases or pests; names of the chemical products used;
5. the sale and/or dispatch to other persons.

(2) The documentation, other than the records referred to in Article 8, shall be stored for one year as from the date of the latest entry.

**Article 25.** (New, SG No. 42/2006, effective date 01.01.2007) (1) (Amended, SG No. 30/2019, effective date 09.04.2019) The IASAS and the BFSA shall control the implementation of the critical points and the documentation keeping by the producer in accordance with the existing legislation and methods ensuring the unbiased nature of the checks.



(2) (Supplemented, SG No. 20/2007, effective date 06.03.2007) The control referred to in paragraph 1 shall be carried out to establish whether the methods used in the implementation of critical points are appropriate and reliable and whether the producer is competent to identify critical points and to carry out own checks.

(3) (Amended, SG No. 30/2019, effective date 9.04.2019) The BFSA and/or the IASAS shall also exercise control to ensure that:

1. samples are taken at appropriate stages of the production of vegetable propagating and planting material so as to establish its health condition;

2. (Supplemented, SG No. 20/2007, effective date 06.03.2007, amended, SG No. 30/2019, effective date 09.04.2019) samples are taken in a technically correct manner and using a statistically reliable procedure in accordance with the methods of the BFSA and/or the IASAS approved by the Minister of Agriculture, Food and Forestry, regard being had to the kind of analysis to be carried out;

3. the persons who take the samples are qualified to do so;

4. (Amended, SG No. 30/2019, effective date 09.04.2019) the testing of samples to check the plant health is carried out by a BFSA laboratory or a laboratory referred to in Article 8 SPMA;

5. (New, SG No. 20/2007, effective date 06.03.2007) the competence of the producer's staff (team of specialists) to carry out checks.

(4) The control referred to in paragraph 3 may be carried out at the time of sampling by the producer or at the time of testing the samples by a laboratory referred to in Article 8 SPMA.

## **SUPPLEMENTARY PROVISIONS**

**§ 1.** For the purposes of this Regulation:

1. "Propagating material" means all plant material (prick-outs, including rooted rootstocks and scion plants) or parts of plants (scions, rhizomes, bulbs) intended for propagation or for direct production of vegetables;

2. "Vegetable planting material" means entire plants (prick-outs), bulbs, roots/rhizomes, intended for planting for the production of vegetables;

3. "Final consumer" means a person using the purchased planting material to produce vegetables for own needs.

4. "Quality" means the degree of compliance with the requirements to the vegetable planting material, depending on the characteristics of the plant species, as regards the following:

(a) ratio of roots, stems and leaves of whole plants;

(b) appearance and size of bulbs;

(c) well developed rhizomes.

5. (Amended, SG No. 42/2006, effective date 01.01.2007) "Critical points" means main stages of the production process, defined and implemented by the producer, with a view to the production and marketing of vegetable planting material in compliance with the requirements of this Regulation.

6. (New, SG No. 42/2006, effective date 01.01.2007) "Small producer" means a person who produces and handles vegetable planting material intended for sale only to final consumers.

7. (New, SG No. 42/2006, effective date 01.01.2007) "Growing trials" of vegetable propagating and planting material means a basic method of verification of the varietal identity and purity through field testing of vegetable propagating and planting material on the parcel.

8. (New, SG No. 20/2007, effective date 06.03.2007) "Producer of vegetable planting material" means any natural or legal person who meets the requirements laid down in Article 28(1) and (2) of the Seed and Propagating Material Act (SPMA), carrying out professionally at least one of the following activities with regard to vegetable propagating and planting material: multiplication, production, storage and/or treatment.

9. (New, SG No. 20/2007, effective date 06.03.2007) "Trader of vegetable planting material" means any natural or legal person who meets the requirements laid down in Article 28(1) and (2)

SPMA, carrying out trade in vegetable planting material produced by the persons referred to in subparagraph 8. A trader may also be a producer within the meaning of subparagraph 8.

§ 1a. (New, SG No. 42/2006, effective date 01.01.2007, amended, SG No. 45/2007, effective date 01.07.2007, supplemented, SG No. 17/2020, effective date 25.02.2020, supplemented, SG No. 57/2020, effective date 26.06.2020) This Regulation transposes Council Directive 92/33/EEC of 28 April 1992 on the marketing of vegetable propagating and planting material, other than seed; Commission Directive 93/61/EEC of 2 July 1993 setting out the schedules indicating the conditions to be met by vegetable propagating and planting material, other than seed pursuant to Council Directive 92/33/EEC; Commission Directive 93/62/EEC of 5 July 1993 setting out the implementing measures concerning the supervision and monitoring of suppliers and establishments pursuant to Council Directive 92/33/EEC on the marketing of vegetable propagating and planting material, other than seed; Commission Directive 2006/124/EC of 5 December 2006 amending Council Directive 92/33/EEC on the marketing of vegetable propagating and planting material other than seed and Council Directive 2002/55/EC on the marketing of vegetable seed; Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed; Commission Implementing Directive (EU) 2019/990 of 17 June 2019 amending the list of genera and species in Article 2(1)(b) of Council Directive 2002/55/EC, in Annex II to Council Directive 2008/72/EC and in the Annex to Commission Directive 93/61/EEC (OJ L 160, 18.6.2019); 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**

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

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

§ 4. The implementation of this Regulation shall be assigned to the Executive Agency for Variety Testing, Field Inspection and Seed Control and to the National Plant Protection Service.

### **Final Provisions**

#### **AMENDING REGULATION TO REGULATION No. 19 OF 2004 ON THE PRODUCTION AND MARKETING OF VEGETABLE PROPAGATING AND PLANTING MATERIAL OTHER THAN SEED**

(PROMULGATED, SG No. 42/2006,EFFECTIVE DATE 01.01.2007)

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

### **Final Provisions**

#### **AMENDING REGULATION TO REGULATION No. 19 OF 2004 ON THE PRODUCTION AND MARKETING OF VEGETABLE PROPAGATING AND PLANTING MATERIAL OTHER THAN SEED**

(PROMULGATED, SG 20/2007,EFFECTIVE DATE 06.03.2007)

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

### **Final Provisions**

#### **AMENDING REGULATION TO REGULATION No. 19 OF 2004 ON THE**

**PRODUCTION AND MARKETING OF VEGETABLE PROPAGATING AND PLANTING MATERIAL OTHER THAN SEED**

(PROMULGATED, SG No. 45/2007, EFFECTIVE DATE 01.07.2007)

§ 8. This Act shall enter into force on 1 July 2007.

**Supplementary Provisions**

**AMENDING REGULATION TO REGULATION No. 19 OF 2004 ON THE PRODUCTION AND MARKETING OF VEGETABLE PROPAGATING AND PLANTING MATERIAL OTHER THAN SEED**

(PROMULGATED, SG No. 18/2014, EFFECTIVE DATE 04.03.2014)

§ 2. This Regulation transposes Commission Implementing Directive 2013/45/EU of 7 August 2013 amending Council Directives 2002/55/EC and 2008/72/EC and Commission Directive 2009/145/EC as regards the botanical name of tomato.

**Final Provisions**

**AMENDING REGULATION TO REGULATION No. 19 OF 2004 ON THE PRODUCTION AND MARKETING OF VEGETABLE PROPAGATING AND PLANTING MATERIAL OTHER THAN SEED**

(PROMULGATED, SG No. 18/2014, EFFECTIVE DATE 04.03.2014)

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

**Transitional and Final Provisions**

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

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

§ 8. Regulation No. 19 of 2004 on the production and marketing of vegetable propagating and planting material other than seed (Promulgated, SG No. 51/2004; Amended, SG No. 42/2006, SG No. 20/2007, SG No. 45/2007 and SG No. 18/2014) shall be amended as follows:

.....

8. The words "Regulation No. 1 of 1998 on phytosanitary control" shall be replaced by the words "Regulation No. 8 of 2015 on phytosanitary control" and the acronym "NPPS" shall be replaced by the acronym "BFSA" 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. 96 OF 2006 ON THE MARKETING OF VEGETABLE SEED WITHIN THE EUROPEAN UNION**

(PROMULGATED, SG No. 17/2020, EFFECTIVE DATE 25.02.2020)

§ 7. This Regulation shall enter into force on the date of its publication in the State Gazette, except for §§ 2, 3, 4 and 6(2) and (3) which shall enter into force on 1 July 2020.

**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. 45/2007, effective date 1.07.2007, amended, SG No. 18/2014, effective date 4.03.2014, amended, SG No. 17/2020, effective date 1.07.2020)

List of vegetable genera and species

*Allium cepa* L.

- Cepa Group (Onion, Echalion)
- Aggregatum Group (Shallot)

*Allium fistulosum* L. (Bunching onion)

- all varieties

*Allium porrum* L. (Leek)

- all varieties

*Allium sativum* L. (Garlic)

- all varieties

*Allium schoenoprasum* L. (Chives)

- all varieties

*Anthriscus cerefolium* (L.) Hoffm. (Chervil)

- all varieties

*Apium graveolens* L.

- Celery Group
- Celeriac Group

*Asparagus officinalis* L. (Asparagus)

- all varieties

*Beta vulgaris* L.

- Garden Beet Group (Beetroot including Cheltenham beet)
- Leaf Beet Group (Spinach beet or Chard)

*Brassica oleracea* L.

- Kale Group
- Cauliflower Group
- Capitata Group (Red cabbage and White cabbage)
- Brussel Sprouts Group
- Kohlrabi Group
- Savoy Cabbage Group
- Broccoli Group (calabrese type and sprouting type)
- Savoy Cabbage Group
- Tronchuda Group (Portuguese cabbage)

*Brassica rapa* L.

- Chinese Cabbage Group
- Vegetable Turnip Group

*Capsicum annuum* L. (Chil and Pepper)

- all varieties

*Cichorium endivia* L. (Endive)

- all varieties

*Cichorium intybus* L.

- Witloof Chicory Group
- Leaf Chicory Group (Large-leaved chicory or Italian chicory)
- Industrial (Root) Chicory Group
- Citrullus lanatus* (Thunb.) Matsum. et Nakai (Watermelon)
- all varieties
- Cucumis melo* L. (Melon)
- all varieties
- Cucumis sativus* L.
- Cucumber Group
- Gherkin Group
- Cucurbita maxima* Duchesne (Gourd)
- all varieties
- Cucurbita pepo* L. (Marrow, including ripe common squash and pattypan squash, or Courgette, including unripe pattypan squash)
- all varieties
- Cynara cardunculus* L.
- Globe Artichoke Group
- Cardoon Group
- Daucus carota* L. (Carrot and Fodder Carrot)—
- all varieties
- Foeniculum vulgare* Mill. (Fennel)
- Azoricum Group (Azoricum fennel)
- Lactuca sativa* L. (Lettuce)
- all varieties
- Solanum lycopersicum* L. (Tomato)
- all varieties
- Petroselinum crispum* (Mill.) Nyman ex A. W. Hill
- Leaf Parsley Group
- Turnip-rooted Parsley Group—
- Phaseolus coccineus* L. (Runner bean)
- all varieties
- Phaseolus vulgaris* L.
- Dwarf French Bean Group
- Climbing French Bean Group
- Pisum sativum* L.
- Round Pea Group
- Wrinkled Pea Group
- Sugar Pea Group
- Raphanus sativus* L.
- Radish Group
- Black Radish Group
- Rheum rhabarbarum* L. (Rhubarb)
- all varieties
- Scorzonera hispanica* L. (Black Root)
- all varieties
- Solanum melongena* L. (Aubergine/Eggplant)
- all varieties
- Spinacia oleracea* L. (Spinach)
- all varieties
- Valerianella locusta* (L.) Laterr. Corn salad or Lamb's lettuce
- all varieties

Vicia faba L. (partim)

- all varieties

*Zea mays* L.

- Sweet Corn Group

- Popcorn Group

Annex No. 2 to Article 7 (2)

(Amended, SG No. 17/2020, effective date 01.07.2020, amended, SG No. 57/2020, effective date 26.06.2020)

RNQPs concerning vegetable propagating and planting material

Bacteria		
RNQP or symptoms caused by RNQP;	Vegetable propagating and planting material (genus or species)	Threshold for the presence of RNQPs on the vegetable propagating and planting material
Clavibacter michiganensis ssp. michiganensis (Smith) Davis et al. [CORBMI]	<i>Solanum lycopersicum</i> L.	0%
<i>Xanthomonas euvesicatoria</i> Jones et al. [XANTEU]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
<i>Xanthomonas gardneri</i> (ex Sutic 1957) Jones et al. [XANTGA]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
<i>Xanthomonas perforans</i> Jones et al. [XANTPF]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
<i>Xanthomonas vesicatoria</i> (ex Doidge) Vauterin et al. [XANTVE]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
Fungi and oomycetes		
RNQP or symptoms caused by RNQP;	Vegetable propagating and planting material (genus or species)	Threshold for the presence of RNQPs on the vegetable propagating and planting material
Fusarium Link (anamorphic genus) [1FUSAG] other than Fusarium oxysporum f. sp. albedinis (Kill. & Maire) W.L. Gordon [FUSAAL] и Fusarium circinatum Nirenberg & O'Donnell [GIBBCI]	<i>Asparagus officinalis</i> L.	0%
<i>Helicobasidium brebissonii</i> (Desm.) Donk [HLCBBR]	<i>Asparagus officinalis</i> L.	0%
Stromatinia cepivora Berk. [SCLOCE]	<i>Allium cepa</i> L., <i>Allium fistulosum</i> L., <i>Allium porrum</i> L., <i>Allium sativum</i> L.	0%
<i>Verticillium dahliae</i> Kleb. [VERTDA]	<i>Cynara cardunculus</i> L.	0%
Nematodes		
RNQP or symptoms caused by RNQP;	Vegetable propagating and planting material (genus or species)	Threshold for the presence of RNQPs on the vegetable propagating and planting material

<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]	<i>Allium cepa</i> L., <i>Allium sativum</i> L.	0%
Viruses, viroids, virus-like diseases and phytoplasmas		
RNQP or symptoms caused by RNQP;	Vegetable propagating and planting material (genus or species)	Threshold for the presence of RNQPs on the vegetable propagating and planting material
Leek yellow stripe virus [LYSV00]	<i>Allium sativum</i> L.	1%
Onion yellow dwarf virus [OYDV00]	<i>Allium cepa</i> L., <i>Allium sativum</i> L.	1%
Viruses, viroids, virus-like diseases and phytoplasmas		
RNQP or symptoms caused by RNQP;	Vegetable propagating and planting material (genus or species)	Threshold for the presence of RNQPs on the vegetable propagating and planting material
Potato spindle tuber viroid [PSTVD0]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
Tomato spotted wilt tospovirus [TSWV00]	<i>Capsicum annuum</i> L., <i>Lactuca sativa</i> L., <i>Solanum lycopersicum</i> L., <i>Solanum melongena</i> L.	0%
Tomato yellow leaf curl virus [TYLCV0]	<i>Solanum lycopersicum</i> L.	0%

#### Annex No. 3 to Article 11 (4)

(Amended, SG No. 42/2006, effective date 1.01.2007, amended and supplemented, SG No. 20/2007, effective date 6.03.2007, amended, SG No. 30/2019, effective date 09.04.2019, supplemented, SG No. 57/2020, effective date 26.06.2020)

#### LABEL

Information to be included in the label of the producer of vegetable propagating and planting material

1. "EC quality"
2. (Amended, SG No 30/2019, effective date 09.04.2019) State/institution - Republic of Bulgaria (BG), Ministry of Agriculture, Food and Forestry
3. Control/certification authority, address - IASAS, Sofia, 125 Tsarigradsko Chausse
4. National Plant Protection Service, address
5. Name of the producer/handler packaging and labelling the vegetable propagating and planting material, and its registration number
6. Registration number of the persons in accordance with the official register for phytosanitary control
7. Number of the lot of the initial material (seed in this case) from which the vegetable propagating and planting material has been produced
8. Number of the lot of vegetable propagating and planting materials assigned by the producer
9. (Amended, SG No 30/2019, effective date 09.04.2019) Common name (or the name of the species) written in Roman characters and/or botanical name of the species, where the material is accompanied by a plant passport in accordance with Directive 92/105/EEC transposed with Regulation No. 8 of 2015 on phytosanitary control
10. Variety written in Roman and Cyrillic characters
11. Type of propagating and planting material - prick-outs, bulbs, rhizomes, rooted rootstocks, scion plants
12. Quantity - number or net weight of the package

13. Date of issue of the producer's corporate document
14. Phytosanitary (plant) passport No. for the species for which it is issued
15. In the case of importation from a third country - name of the country
16. The plant passport referred to in point 14 shall contain the following indications:
  - (a) for movement within the Union territory:
    - (aa) the words "plant passport" written in Bulgarian and in English divided by a slash in the upper-right corner of the common label;
    - (bb) the Union logo printed in colour or in black-and-white in the upper-left corner of the common label;
  - (b) for introduction and movement within protected zones:
    - (aa) 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;
    - (bb) the scientific name or code of the relevant quarantine pest(s) of significance for the protected zone immediately below these words;
    - (cc) the Union logo printed in colour or in black-and-white in the upper-left corner of the common label;