Amendment of the Regulation of the Minister of Agriculture of 12 March 1999 No 8 "Endorsement of list of plant species subject to Official Variety Listing and certification, and procedure of Official Variety Listing"

Regulation of the Minister of Agriculture of 29 January 2001 No 8

The regulation is enforced on the basis of subsections 6 (9) and 15 (6) of the Seed and Plant Propagating Material Act (RT I 1998, 52/53, 771; 1999, 95, 843; 2000, 29, 169).

The following amendments will be made in the "List of plant species subject to Official Variety Listing and certification, and procedure of Official Variety Listing" endorsed by the Regulation of the Minister of Agriculture of 12 March 1999 No 8 "Endorsement of list of plant species subject to Official Variety Listing and certification, and procedure of Official Variety Listing":

1) the regulation is complemented by clause 3¹ worded as follows:

« 3¹. In case of hybrid variety mixed with pollinators both the hybrid variety and pollinators are subject to registration and Official Variety Listing pursuant to the Seed and Plant Propagating Material Act.»;

2) clause 4 will be amended and worded as follows:

« 4. In case of Official Variety Listing of varieties of hay plants not intended for production of feedingstuffs according to the information from the plant breeder the results of registration tests and data submitted by the applicant on resistance to winter and diseases received from examination of the variety in a country with soil and climate conditions similar to Estonia are taken into account.»;

3) clause 13 will be amended and worded as follows:

« 13. A variety is listed in the Official Variety List upon lodging a written application in a given format (Annex 2) in the Plant Production Inspectorate by the owner, representative or maintainer of the variety.»;

4) clause 18 will be amended and worded as follows:

« 18. The testing methodology, minimal number of testing plots and time schedule of official registration and value tests must be coordinated with the Plant Production Inspectorate.»;

5) the regulation is complemented by clause 32¹ worded as follows:

« 32¹. The applicant whose variety has been proposed for listing in the Official Variety List will be informed about it in written in turn of a signature. Within two weeks from reception of this information the applicant must pay the state fee and submit a copy of document proving the payment to the Plant Production Inspectorate.

The Plant Production Inspectorate shall submit the Official Variety List, containing varieties of applicants having submitted the copy of document verifying payment of the state fee to the Plant Production Inspectorate in due time, to the Minister of Agriculture for endorsement.»;

6) clause 1 of Annex 1 «List of plant species subject to Official Variety Listing and certification» to the regulation will be complemented by the following species:

«Avena nuda L. Naked oat

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Endorsement of list of plant species subject to Official Variety Listing and certification, and procedure of Official Variety Listing

Regulation of the Minister of Agriculture of 12 March 1999 No 8

On the basis of subsections 6 (9) and 15 (6) of the Seed and Plant Propagating Material Act/(RT I 1998, 52/53, 771), and taking into account the provisions of directive of the EU No 70/457/EEC:

1. I endorse the "List of plant species subject to Official Variety Listing and certification, and procedure of Official Variety Listing" (attached).

2. I repeal the Regulation of the Minister of Agriculture from 3 February 1995 No 2 "Procedure of Official Variety Listing of agricultural crops" (RTL 1995, 15, 499).

Minister Andres VARIK

Secretary General Ilmar TUPITS

Endorsed by

the Regulation of the Minister of Agriculture of 12 March 1999 No 8

List of plant species subject to Official Variety Listing and certification, and procedure of Official Variety Listing

I. GENERAL PROVISIONS

1. This procedure applies on listing of varieties of forage crops, cereals, oil and fibre plants, potato and vegetables in the Official Variety List and administration of the Official Variety List.

2. The list of plant species subject to listing in the Official Variety List, and the seed of which is subject to certification, is provided in Annex 1 to this procedure.

3. The requirements on variety to be listed in the Official Variety List are established by the Seed and Plant Propagating Material Act. The same rules apply on varieties bred in Estonia and abroad.

4. In case of varieties of hay plants not intended for production of feedingstuffs according to the information from the plant breeder only data on resistance to winter and diseases are taken into account upon listing the variety in the Official Variety List.

5. The potato varieties not resistant to potato cyst eelworm (*Globodera rostochiensis* Woll.) and potato wart disease (Synchytrium endobioticum) are not listed in the Official Variety List.

6. Varieties the seed of which is produced in Estonia for certification and marketing in a foreign country are marked separately in the Official Variety List.

II. DISTINCTNESS, UNIFORMITY AND STABILITY OF VARIETY

7. A variety shall be regarded as distinct if, regardless if it has been bred or found or detected from

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