



Decision of the Council Revising  
the OECD Schemes for the Varietal  
Certification or the Control of  
Seed Moving in International  
Trade

**OECD Legal  
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#### **Please cite this document as:**

OECD, *Decision of the Council Revising the OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade*, OECD/LEGAL/0308

Series: OECD Legal Instruments

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## Date(s)

Adopted on 28/09/2000  
Amended on 22/06/2001  
Amended on 22/06/2001  
Amended on 29/11/2001  
Amended on 29/11/2001  
Amended on 29/11/2001  
Amended on 22/01/2002  
Amended on 26/02/2003  
Amended on 01/04/2003  
Amended on 04/06/2004  
Amended on 24/01/2005  
Amended on 29/04/2005  
Amended on 21/12/2005  
Amended on 21/12/2005  
Amended on 21/12/2005  
Amended on 14/04/2006  
Amended on 11/05/2006  
Amended on 24/05/2006  
Amended on 30/03/2007  
Amended on 14/11/2007  
Amended on 14/11/2007  
Amended on 29/11/2007  
Amended on 16/10/2008  
Amended on 23/10/2008  
Amended on 23/10/2008  
Amended on 30/10/2008  
Amended on 10/11/2008  
Amended on 20/11/2008  
Amended on 03/02/2009  
Amended on 03/02/2009  
Amended on 10/09/2009  
Amended on 16/11/2009  
Amended on 02/11/2010  
Amended on 23/03/2012  
Amended on 02/11/2012  
Amended on 19/12/2014  
Adopted on 31/07/2015  
Amended on 16/12/2015  
Amended on 23/12/2015  
Amended on 29/11/2016  
Amended on 23/12/2016  
Amended on 22/12/2017

## Background Information

The Decision Revising the OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade was adopted by the OECD Council on 28 September 2000 on the proposal of the Committee for Agriculture. The Decision establishes a common set of basic principles and methods of operation for the seven groups of species constituting the OECD Seed Schemes. The objectives of the Schemes are to encourage the use of seed of consistently high quality in Adherent countries. The Schemes authorise the use of labels and certificates for seed produced and processed for international trade according to agreed principles ensuring varietal identity and purity. The Schemes facilitate the import and export of seed, by the removal of technical barriers to trade through internationally recognised labels (“passports” for trade). They also lay down guidelines for seed multiplication abroad, as well as for the delegation of some control activities to the private sector (“authorisation”).

## **THE COUNCIL,**

**HAVING REGARD** to Article 5 a) and c) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

**HAVING REGARD** to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Herbage and Oil Seed Moving in International Trade [C(88)68(Final)], amended on 19 March 1991 [C(91)19/FINAL], 19 May 1992 [C(92)53/FINAL], 2 December 1993 [C(93)119/FINAL], 27 December 1993 [C(93)120/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL], 16 December 1996 [C(96)173/FINAL] and 13 July 1999 [C(99)70/FINAL];

**HAVING REGARD** to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Cereal Seed Moving in International Trade [C(88)69(Final)], amended on 24 September 1990 [C(90)80/FINAL], 19 March 1991 [C(91)19/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL] and 13 July 1999 [C(99)70/FINAL];

**HAVING REGARD** to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Sugar Beet and Fodder Beet Seed Moving in International Trade [C(88)66(Final)], amended on 19 March 1991 [C(91)19/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL] and 13 July 1999 [C(99)70/FINAL];

**HAVING REGARD** to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Seed of Subterranean Clover and Similar Species Moving in International Trade [C(88)70(Final)], amended on 19 March 1991 [C(91)19/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL] and 13 July 1999 [C(99)70/FINAL];

**HAVING REGARD** to the Decision of the Council of 10 October 1988 Revising the OECD Scheme for the Varietal Certification of Maize and Sorghum Seed Moving in International Trade [C(88)67(Final)], amended on 19 March 1991 [C(91)19/FINAL], 3 June 1993 [C(93)51/FINAL], 2 December 1993 [C(93)121/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL] and 13 July 1999 [C(99)70/FINAL];

**HAVING REGARD** to the Decision of the Council of 16 March 1971 Establishing the OECD Scheme for the Control of Vegetable Seed Moving in International Trade [C(71)31(Final)], amended on 24 October 1974 [C(74)197], 24 June 1976 [C(76)133], 14 June 1977 [C(77)121], 19 March 1991 [C(91)19/FINAL], 20 July 1995 [C(95)113/FINAL], 14 September 1995 [C(95)161/FINAL] and 13 July 1999 [C(99)70/FINAL];

### **On the proposal of the Committee for Agriculture;**

#### **I. DECIDES:**

1. The OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade (hereafter called the "OECD Seed Schemes") include rules and directions applicable to eight groups of species constituting the following Schemes:

<b>Grass and Legume Seed Scheme</b>	(Annex VI to this Decision)
<b>Seed Scheme for Crucifers and other Oil or Fibre Species</b>	(Annex VII to this Decision)
<b>Cereal Seed Scheme</b>	(Annex VIII to this Decision)
<b>Beet Seed Scheme</b>	(Annex IX to this Decision)
<b>Seed Scheme for Subterranean Clover and Similar Species</b>	(Annex X to this Decision)

<b>Maize Seed Scheme</b>	(Annex XI to this Decision)
<b>Sorghum Seed Scheme</b>	(Annex XII to this Decision)
<b>Vegetable Seed Scheme</b>	(Annex XIII to this Decision)

The OECD Seed Schemes shall be operated in accordance with the Decision including the Basic Principles, and the Method of Operation and other relevant texts common to all Schemes (Annexes I and V to this Decision) as well as the Rules and Directions applicable to each Scheme (Annexes VI to XII).

2. Any OECD Seed Scheme shall be:
- a) open to all Members of the Organisation, as well as to any Member of the United Nations, its Specialised Agencies or the World Trade Organisation desiring to participate therein in accordance with the procedure for participation set out in Annex III to this Decision;
  - b) implemented by the Authorities designated for that purpose by, and responsible to, the Governments of the States adhering to the Scheme.

The list of participating States in one or more Schemes appears in Annex IV.

3. A State desiring to adhere to one or more OECD Seed Scheme(s) shall notify the Secretary-General, who shall inform the other participating States accordingly.

4. If a State participates in an OECD Seed Scheme, it shall be obligatory for that State, as regards each lot of seed certified under the Scheme, to take the necessary steps:

- to apply the Basic Principles and the Method of Operation common to all Seed Schemes (Annexes I and II to this Decision),
- as well as the Rules and Directions of the relevant OECD Seed Scheme (in Annex to this Decision),
- and to ensure their application by the Authorities referred to in paragraph 2 (b) above.

However, participating States may derogate from these Rules and Directions under the conditions set out in Annex V to this Decision. States participating in an experiment by derogation shall notify the Secretary-General who shall inform the other participating States accordingly.

5. A participating State desiring to lodge a complaint concerning the non-execution of the aforementioned obligation, may lay the matter before the Organisation. The complaint shall be examined by the Committee for Agriculture which shall report to the Council.

6. Any time the words "country" or "State" are used in the Decision and its Annexes, it shall be read as "country and economy" or "State and economy".

**II. INSTRUCTS** the Committee for Agriculture to report to the Council, when it considers it appropriate, on the operation of the OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade, and to submit to the Council, where necessary, any proposal for modifying these Schemes.

**III AUTHORISES** the Committee for Agriculture to decide on any technical amendments to Annexes VI – XII of the OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade. These amendments shall then be transmitted to the Council for information.

**IV. DECIDES:**

This Decision replaces the Decisions of the Council C(71)31(Final) of 16 March 1971, C(88)66(Final), C(88)67(Final), C(88)68(Final), C(88)69(Final) and C(88)70(Final) of 10 October 1988, as well as their respective amendments referred to above, which are hereby repealed.

## ANNEX I TO THE DECISION

### BASIC PRINCIPLES

1. The objective of the OECD Schemes for the varietal certification of seed is to encourage the use of seed of consistently high quality in participating countries. The Schemes authorise the use of labels and certificates for seed produced and processed for international trade according to agreed principles.

2. Eight Schemes are defined according to groups of species of cultivated plants:

- Grasses and legumes;
- Crucifers and other oil or fibre species;
- Cereals;
- Fodder beet and sugar beet;
- Subterranean clover and similar species;
- Maize ;
- Sorghum ;
- Vegetables.

Each Scheme includes a set of rules and directions aiming at the varietal certification of seed, except for the Vegetable Seed Scheme where generally traded seed, "Standard Seed", may not be certified but only controlled.

3. If a country participates in one or more OECD Scheme(s), it is obliged to ensure that the Rules and Directions of the Scheme(s) are strictly observed.

#### 4. **Definitions**

The following definitions apply for the purposes of varietal certification under the OECD Seed Schemes:

##### 4.1 Varietal identity

The identity of a variety is defined by the official description of its characteristics, resulting from a given genotype or combination of genotypes.

##### 4.2 Varietal purity

The varietal purity is the proportion of plants or seeds within the population that conforms to the official description of the variety.

Plants or seeds are considered as varietal impurities (off-types) when they are obviously different from the variety.

#### 5. **The Schemes are based on the following principles:**

5.1. They include only those varieties which are officially recognised as distinct and having an acceptable value in at least one participating country, with the exception of the derogation procedure described in Annex V-A. The names of these varieties are published in official lists;

5.2. All the Certified Seed produced must be related directly through one or more generations to authentic Basic Seed of the variety. The number of generations permitted for cross-pollinating species or varieties must be strictly limited. The main factor determining the standard of Certified Seed is the varietal purity of Basic Seed and, for this reason, special tests for Basic Seed are prescribed.

Satisfactory conditions for the production and processing of Basic and Certified Seed must be ensured and verified by field inspection and post-control tests;

5.3. Post-control tests are conducted to ascertain that the Schemes are operating satisfactorily. In particular, these tests are intended to determine that the characters of varieties have remained unchanged in the process of multiplication and to enable the varietal identity and purity of individual seed lots to be verified.

## 6. Annual contribution

6.1 Expenditures required for the functioning of the Schemes shall be defrayed from appropriations under Part II of the Budget of the Organisation. The country participating in one or several of the Schemes agrees to the payment to the OECD of an annual contribution which is the sum of the following two elements:

- a basic fee of EUR 2 700;
- an additional fee applied to each country participating in the Scheme (OECD Members and non-Members) according to the criteria set out in the Resolution of the Council C(63)155(Final) as amended.

6.2 The contribution is adjusted annually according to the level of expenditures required for the functioning of the Schemes and according to the change in the price index and scales used in the Organisation's budget procedures. The annual contribution of a new participating country shall remain a net addition to the budget of the Schemes. The Secretariat shall report any default in payment to the Bureau for the Schemes which shall take all appropriate measures, including reviewing the status of the participating country.

6.3 A participating country shall fall into arrears on 1 January of the year following the year of the call for the payment of the annual contribution (basic fee and additional fee), if this contribution remains fully or partly unpaid at that date. In this first year of arrears, new entries submitted by the country in arrears for inclusion in the OECD List of Varieties Eligible for Seed Certification shall not appear on the new List unless the debt is settled. In the second year of arrears, no documentation shall be sent to the country and all formerly listed varieties shall be removed from the new List at the time of publication. In the third year of arrears, the country shall be notified by the OECD of a proposal to exclude it from Participation in the Schemes. The decision of exclusion shall be adopted by the OECD Council, on the proposal of the Annual Meeting of the National Designated Authorities and of the Committee for Agriculture, unless the Council decides by consensus not to adopt the decision. The decision of exclusion shall be notified to the country.

6.4 Settlement by the country in arrears of the debt in the first or the second year shall reverse all the measures previously taken. Settlement of the debt in the third year and reversal of all the measures previously taken shall be subject to a decision by the Annual Meeting of the National Designated Authorities based on the results of an evaluation mission at the expense of the country in arrears, in accordance with the conditions for the admission procedure for a new country provided for in Annex III to the Decision, section 3. When a participating country is excluded, it shall lose all rights to use OECD seed certificates and labels in international transactions. Participants and observers to the OECD Seed Schemes shall be notified of all developments associated with the application of this procedure.

6.5 The present procedure shall apply to arrears of the contributions due for 2006 and the successive years. Arrears of contributions due for one or more years before 2006 shall be subject to a separate settlement with the Organisation.

7. The success of the Schemes depends upon very close co-operation between the maintainers of varieties eligible for certification and the National Designated Authorities in participating countries. When seed multiplication takes place outside the country of registration of a variety, close contact may need to be established between the National Designated Authority, in a country of registration and the Designated Authority in the country of multiplication to enable seed varietal certification.



## ANNEX II TO THE DECISION

### METHOD OF OPERATION

1. The Government of each country participating in the Schemes will designate the Authorities responsible for implementing them in that country.
2. The OECD will circulate the names and addresses of the National Designated Authorities and any changes in their designation to all countries participating in the Schemes and to all observers.
3. The operation and development of the Schemes shall be reviewed at the Annual Meeting of representatives of the National Designated Authorities where Participating Countries, Members and non-Members, sit in alphabetic order. This Annual Meeting shall report on its work and make such proposals as deemed necessary to the Council of the OECD, subject to prior endorsement by the Committee for Agriculture.
4. The Officers of the Annual Meeting shall be a Chairman and two Vice-Chairmen, nominated at the end of the previous Annual Meeting and they shall take up their duties upon official approval of the Summary Record of that Meeting. In order to assure continuity and effective co-operation with the Secretariat, except as otherwise provided in the Rules of Procedure of the Organisation, it is desirable that the two Vice-Chairmen be the Chairman-Designate and the Past-Chairman. Their terms should not exceed two years and the chairmanship, which is also open to non member countries, should reflect the participation of various regions of the world.
5. The OECD Secretariat shall ensure the co-ordination of the implementation of the Schemes at the international level. However, some activities may be delegated by contract to a national institute of a Participating Country acting as technical Co-ordinating Centre. The costs incurred shall be recovered under the annual contract between the OECD and this Institute.
6. A Bureau is made up of the Officers of the Annual Meeting; the Co-ordinating Centre takes part in the work. Its task is to assist the Secretariat in the preparation of the next Annual Meeting, including matters relating to the admission of new countries and to propose solutions, when necessary, to urgent problems that may arise out of the implementation of the Schemes. The Bureau is convened by the Secretariat at the request of any one of its Members or any country participating in the Schemes. It can provide counsel in writing and invite one or more participating countries to be represented.
7. When seed lots are officially labelled and fastened under these Rules and Directions, it is understood that all tests and inspections have been made in strict accordance with the Rules and Directions.
8. Certification and the use of the labels and certificates prescribed in these Rules and Directions shall not involve the OECD in any liability for compensation.

## ANNEX III TO THE DECISION

### PROCEDURE FOR A NEW COUNTRY TO JOIN ONE OR MORE OECD SEED SCHEMES

#### 1. Eligibility for the OECD Seed Schemes

1.1 OECD Member countries may participate in the Schemes on the basis of a written notification to the Secretary-General of the OECD.

1.2 A Member of the United Nations Organization, its Specialised Agencies or the World Trade Organisation may submit a written application to the Secretary-General of the OECD to participate in one or more Scheme(s).

1.3 The technical criteria necessary to operate the Schemes shall apply equally to OECD Members and non-Member countries.

#### 2. Technical criteria

Technical criteria to be satisfied by the notifying or applicant country are set out in the rules of the OECD Seed Schemes in force and include the following:

2.1 The country shall provide a description of the national scheme for the certification of seed and a copy of the national rules and procedures governing the certification of seed.

2.2 A comparison shall be made between the OECD Scheme rules and the rules of the national scheme, for each Scheme to be implemented, especially in respect of:

- i) previous cropping;
- ii) isolation, both physical and from sources of foreign pollen in the case of cross-pollination species;
- iii) verification of varietal identity;
- iv) varietal purity standards.

2.3 The country shall describe the development of its certification scheme over the previous five years and specify in detail the amounts of certified seed produced during the three most recent years.

2.4 The country shall have a national list of varieties, the seed of which is intended to be certified under the OECD Schemes in the immediate future. The national list of varieties shall include only those varieties that have been tested and found to be distinct, uniform and stable following internationally recognised guidelines and, in the case of agricultural species, varieties also found to have acceptable Value for Cultivation and Use in at least one country.

2.5 The country shall have been growing-on samples of Basic and Certified seed in pre- and post-control plots for at least three years. The pre- and post- control plots must be carried out according to OECD methods or similar domestic methods, with the results presented to the Secretariat.

2.6 The country shall dispose of suitably qualified staff and all the necessary facilities to enable seed certification to be carried out effectively according to the rules and procedures of the OECD Seed Schemes.

2.7 The country shall give information on the nature and prospects of current international seed trade, as well as indicate participation in international seed-related organisations.

#### 3. Evaluation mission

3.1 The OECD Secretariat shall acknowledge receipt of the notification/application and shall examine the attached technical documentation. If the technical documentation is satisfactory, the Secretariat shall organise an evaluation mission to the notifying/applicant country, well in advance of the Annual Meeting of the OECD Seed Schemes. The tasks of the mission shall be:

- i) To ascertain that the technical and administrative implications of the Rules of the Schemes, as well as its organisation procedures and facilitation of international trade are well understood;
- ii) To ascertain that adequate technical and administrative facilities are available for the operation of the Schemes. The various steps of the certification process (field inspection, control plots, sampling, sealing, labelling, laboratory analysis, etc.) shall be evaluated accordingly;
- iii) To consider and make recommendations on the need for expert assistance during the initial period of operating the Schemes.

3.2 The evaluation mission shall provide an objective assessment on the ability of the notifying/applicant country to fulfil the Seed Schemes' technical criteria.

3.3 The evaluation mission shall be carried out by experts nominated by, and reporting directly to the OECD Secretariat. Their conclusions and recommendations will be based on the findings of the evaluation mission. A comprehensive Evaluation Report, including conclusions and recommendations, will be drafted by the Secretariat and the Evaluation Team for discussion and approval at the Annual Meeting of the OECD Seed Schemes.

3.4 In the course of the evaluation process, the applicant country and all countries participating in the OECD Schemes shall respect due process and ensure the independence and objectivity of the evaluation process and the subsequent decision making.

3.5 The process of preparation for accession is the responsibility of the OECD Secretariat, in close cooperation with the applicant country, the evaluation experts and the Bureau. All correspondence with the evaluation experts shall be done through the OECD Secretariat.

3.6 The notifying/applicant country will be responsible for the financing of the mission (travel costs etc.), as well as providing the necessary logistics (interpretation etc.) and contributing to the Evaluation Report.

#### **4. Participation in Annual Meetings**

4.1 Before admission, the notifying/applicant country shall be authorised to attend the Annual Meeting as an observer, with a view to presenting the documentation submitted according to section 2 above.

4.2 The notifying/applicant country agrees that on admission, its representatives will attend the Annual Meetings of the National Designated Authorities held in Paris, OECD Headquarters, or elsewhere. Representatives attending the Annual Meetings will be persons directly responsible for the implementation of the Schemes in their country. The cost of attendance at the Annual Meetings will be borne by the notifying/applicant country.

#### **5. Supervision by the OECD**

5.1 The notifying/applicant country shall agree to accept the minimum level of supervision by the OECD, and shall co-operate with the OECD Co-ordinating Centre in regard to the OECD listing of varieties, which is essential if the Schemes are to maintain their integrity. This supervision and co-operation would commence upon admission of a notifying/applicant country to the Seed Schemes, i.e. fulfilment of technical criteria, as set out in Section 2.

5.2 If considered necessary by the evaluation mission or by the Annual Meeting in the course of implementation of the Schemes, the OECD may require:

- that a person or persons responsible for the application of the Schemes in the newly admitted country be sent to a selected OECD country or to the Co-ordinating Centre for a period of further instruction; and/or
- that an annual visit, for the first two years, be made by a seed certification specialist selected by the OECD. The specialist will examine the administrative and technical procedures operated by the new participating country with particular reference to seed crop inspection and control plot recording.

The OECD, in consultation with the authorities of the new participating country, will decide the timing and duration of these measures and the financing of them will be the responsibility of the country.

## **6. Annual contribution**

The notifying/applicant country shall agree to the payment to the OECD of an annual contribution as set out in the General Principles, section 5 of Annex I of this Decision. This shall be effective starting from the calendar year immediately following the year of the Decision of the Council admitting the country to the OECD Seed Schemes.

## **7. OECD internal procedure for ratifying new country participation**

Provided the OECD is satisfied with the results of the review mentioned in section 3 and the notifying/applicant country has agreed, in writing, to respect the undertakings set out in sections 4, 5 and 6, the Annual Meeting will recommend that country adherence be acknowledged. The Committee for Agriculture of the OECD will then be invited to endorse the acknowledgement and request that the Council ratify the participation of the country.

## **8. Notification**

The Secretary-General of the OECD shall notify the country of the outcome of the procedure. The National Designated Authorities of all the countries participating in the Schemes will be informed accordingly.

## **9. Specimen labels and certificates**

The new participating country shall submit to the OECD Secretariat for approval specimens of the OECD labels and certificates to be used by the National Authority, before implementing seed certification according to the OECD Schemes.

## ANNEX IV TO THE DECISION

### LIST OF PARTICIPANTS IN ONE OR SEVERAL OECD SEED SCHEMES

ALBANIA	(2)	LITHUANIA	(2)
ARGENTINA	(2)	LUXEMBOURG	(1)
AUSTRALIA	(1)	MEXICO	(1)
AUSTRIA	(1)	MOLDOVA	(2)
BELGIUM	(1)	MOROCCO	(2)
BOLIVIA	(2)	NETHERLANDS	(1)
BRAZIL	(2)	NEW ZEALAND	(1)
BULGARIA	(2)	NORWAY	(1)
CANADA	(1)	POLAND	(1)
CHILE	(1)	PORTUGAL	(1)
CROATIA	(2)	ROMANIA	(2)
CYPRUS	(2)	RUSSIAN FEDERATION	(2)
CZECH REPUBLIC	(1)	SENEGAL	(2)
DENMARK	(1)	SERBIA	(2)
EGYPT	(2)	SLOVAKIA	(1)
ESTONIA	(1)	SLOVENIA	(1)
FINLAND	(1)	SOUTH AFRICA	(2)
FRANCE	(1)	SPAIN	(1)
GERMANY	(1)	SWEDEN	(1)
GREECE	(1)	SWITZERLAND	(1)
HUNGARY	(1)	TANZANIA	(2)
ICELAND	(1)	TUNISIA	(2)
INDIA	(2)	TURKEY	(1)
IRAN	(2)	UGANDA	(2)
IRELAND	(1)	UKRAINE	(2)
ISRAEL	(1)	UNITED KINGDOM	(1)
ITALY	(1)	UNITED STATES	(1)
JAPAN	(1)	URUGUAY	(2)
KENYA	(2)	ZAMBIA	(2)
KYRGYZSTAN	(2)	ZIMBABWE	(2)
LATVIA	(2)		

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(1) OECD Member Country

(2) Non OECD Member Country

## ANNEX V TO THE DECISION

### PROCEDURES AND EXPERIMENTS BY DEROGATION

#### **A) Procedure Applicable by Derogation to the Control of Varieties being under Examination for Registration on a National List**

1. As a derogation, a National Designated Authority may, with a view to inspecting compliance with field requirements, accept a variety or a parental component of a hybrid variety that is in the examination process for admission to the official list of its country or of another country participating in the relevant Seed Scheme.
2. The inspection shall be conducted in accordance with the procedure set out in the relevant Appendix of each Scheme (Appendix 9 or 10 where applicable).
3. Final certification of the seed shall be decided by the National Designated Authority of the country admitting the variety after registration on the national list.

## ANNEXES VI TO XIII TO THE DECISION

See <http://www.oecd.org/tad/code/oecdseedschemesrulesandregulations.htm>

### **ANNEX VI TO THE DECISION**

OECD Scheme for the Varietal Certification of Grass and Legume Seed moving in International Trade

### **ANNEX VII TO THE DECISION**

OECD Scheme for the Varietal Certification of Crucifer Seed and Other Oil or Fibre Species Seed moving in International Trade

### **ANNEX VIII TO THE DECISION**

OECD Scheme for the Varietal Certification of Cereal Seed moving in International Trade

### **ANNEX IX TO THE DECISION**

OECD Scheme for the Varietal Certification of Sugar Beet and Fodder Beet Seed moving in International Trade

### **ANNEX X TO THE DECISION**

OECD Scheme for the Varietal Certification of Seed of Subterranean Clover and Similar Species moving in International Trade

### **ANNEX XI TO THE DECISION**

OECD Scheme for the Varietal Certification of Maize Seed Moving in International Trade

### **ANNEX XII TO THE DECISION**

OECD Scheme for the Varietal Certification of Sorghum Seed Moving in International Trade

### **ANNEX XIII TO THE DECISION**

OECD Scheme for the Control of Vegetable Seed moving in International Trade

## Adherents\*

### OECD Members

Australia  
Austria  
Belgium  
Canada  
Chile  
Czech Republic  
Denmark  
Estonia  
Finland  
France  
Germany  
Greece  
Hungary  
Iceland  
Ireland  
Israel  
Italy  
Japan  
Latvia  
Luxembourg  
Mexico  
Netherlands  
New Zealand  
Norway  
Poland  
Portugal  
Slovak Republic  
Slovenia  
Spain  
Sweden  
Switzerland  
Turkey  
United Kingdom  
United States

### Non-Members

Albania  
Argentina  
Brazil  
Bulgaria  
Croatia  
Cyprus  
Egypt  
India  
Islamic Republic of Iran  
Kenya  
Kyrgyzstan  
Lithuania  
Morocco  
Plurinational State of Bolivia  
Republic of Moldova  
Romania  
Russian Federation  
Senegal  
Serbia  
South Africa  
Tunisia  
Uganda  
Ukraine  
United Republic of Tanzania  
Uruguay  
Zimbabwe

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\*Additional information and statements are available in the Compendium of OECD Legal Instruments:  
<http://legalinstruments.oecd.org>



## About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

## OECD Legal Instruments

Since the creation of the OECD in 1961, around 450 substantive legal instruments have been developed within its framework. These include OECD Acts (i.e. the Decisions and Recommendations adopted by the OECD Council in accordance with the OECD Convention) and other legal instruments developed within the OECD framework (e.g. Declarations, international agreements).

All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- **Decisions:** OECD legal instruments which are legally binding on all Members except those which abstain at the time of adoption. While they are not international treaties, they entail the same kind of legal obligations. Adherents are obliged to implement Decisions and must take the measures necessary for such implementation.
- **Recommendations:** OECD legal instruments which are not legally binding but practice accords them great moral force as representing the political will of Adherents. There is an expectation that Adherents will do their utmost to fully implement a Recommendation. Thus, Members which do not intend to do so usually abstain when a Recommendation is adopted, although this is not required in legal terms.
- **Declarations:** OECD legal instruments which are prepared within the Organisation, generally within a subsidiary body. They usually set general principles or long-term goals, have a solemn character and are usually adopted at Ministerial meetings of the Council or of committees of the Organisation.
- **International Agreements:** OECD legal instruments negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- **Arrangement, Understanding and Others:** several ad hoc substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.