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COMMISSION DIRECTIVE

of 14 April 1972

on determining the characteristics and minimum conditions for inspecting vegetable varieties

(72/168/EEC)

(OJ L 103, 2.5.1972, p. 6)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Directive 2002/8/EC of 6 February 2002	L 37	7	7.2.2002

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COMMISSION DIRECTIVE

of 14 April 1972

on determining the characteristics and minimum conditions for inspecting vegetable varieties

(72/168/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive [1] of 29 September 1970 on the marketing of vegetable seed, as amended by the Directive of 30 March 1971, [2] and in particular Article 7 (2) thereof;

Whereas, in accordance with the provisions of the abovementioned Directive, Member States are obliged to compile one or more catalogues of the varieties accepted for certification and inspection of standard seed and marketing in their territory;

Whereas the acceptance of varieties is subject to Community conditions which must be enforced by means of official inspections and in particular by crop inspections;

Whereas the inspections must cover a sufficient number of characteristics to enable the varieties to be described;

Whereas the minimum characteristics which have to undergo inspection should be determined at Community level;

Whereas, moreover, the minimum conditions for carrying out the inspections must be laid down;

Whereas these characteristics and minimum conditions for inspection should be laid down in the light of the present state of scientific and technical knowledge;

Whereas the measures provided for in this Directive are in accordance with the Opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry;

HAS ADOPTED THIS DIRECTIVE:

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Article 1

1. Member States shall provide that the official examinations carried out for the acceptance of varieties shall cover at least the following characteristics:

(a) for tomato (*Lycopersicon lycopersicum* L. Karsten ex. Farw.), leek (*Allium porrum* L.), French beans (*Phaseolus vulgaris* L.), cabbage (*Brassica oleracea* L. convar. *Capitata* (L.) Alef.), cauliflower (*Brassica oleracea* L. convar. *Botrytis* (L.) Alef. Var. *botrytis* L.) and lettuce (*Lactuca sativa* L.), those characteristics listed in the respective test guidelines entitled 'Protocol for Distinctness, Uniformity and Stability Tests', issued by the Administrative Council of the Community Plant Variety Office pursuant to Article 56 of Council Regulation (EC) No 2100/94 [3], and published in the Official Gazette of the Community Plant Variety Office.

All the characteristics shall be referred to, providing that observation of a characteristic is not rendered impossible by the expression of any other characteristic, and providing that the expression of a characteristic is not prevented by the environmental conditions

(1) OJ No L 225, 12.10.1970, p. 7.
(2) OJ No L 87, 17.4.1971, p. 24.
(3) OJ L 227, 1.9.1994, p. 1.

▼M1

under which the test is conducted. This provision is without prejudice to the application of provisions governing vegetable varieties.

(b) for other vegetable species, those characteristics listed in Annex I.

2. Member States shall ensure that:

(a) in respect of the vegetable species listed in point (a) of paragraph 1, the minimum requirements for carrying out the examinations in respect of trial design and growing conditions, as laid down in the test guideline referred to in paragraph 1, point (a), are fulfilled at the time of the examinations;

(b) in respect of other vegetable species, the minimum requirements for carrying out the examinations, as listed in Annex II, are fulfilled at the time of the examinations.

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Article 2

Member States shall bring into force not later than 1 July 1972 the laws, regulations or administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

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ANNEX I

1. **ONION**

Allium cepa L.

1. Leaves:
   1.1 height
   1.2 colour
   1.3 glaucescence: presence or absence
2. Bulb:
   2.1 colour of outer skin
   2.2 colour of the flesh
   2.3 ring formation of the flesh
   2.4 shape
   2.5 dry matter content
3. Classification of early maturity

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3. **CHERVIL**

Anthriscus cerefolium (L.) Hoffm.

1. Habit of the plant
2. Leaf:
   2.1 colour
   2.2 surface
   2.3 shape of the folioles
   2.4 indentation of the folioles
3. Flower: length of the scape

4. **CELERY**

Apium graveolens I

A. **Ribbed celery**

1. Plant:
   1.1 habit
   1.2 suckers: presence or absence
2. Leaves:
   2.1 colour
   2.2 variegation: presence or absence
3. Petiole:
   3.1 structure: solid or hollow
   3.2 colour
   3.3 anthocyanin: presence or absence
   3.4 length
   3.5 width
   3.6 shape of cross-section
4. Propensity to whiten: natural or artificial

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B. **Celeriac**

1. Leaves (at the beginning of tuber development):
   1.1 habit
   1.2 height
   1.3 number
   1.4 size of the folioles
   1.5 anthocyanin on the petiole: presence or absence
2. Tuber:
   2.1 size
   2.2 shape
   2.3 size of protrusions
   2.4 type of insertion of roots
   2.5 number of roots
   2.6 thickness of roots
   2.7 appearance of epidermis
3. Colour on cooking

5. **ASPARAGUS**

Asparagus officinalis L.

1. Torion:
   1.1 intensity of the anthocyanic colouring of the tip
   1.2 diameter
2. Sexual distribution: bisexual or male variety
3. Classification of early maturity

6. **SPINACH BEET, CHARD**

Beta vulgaris L. var. cycla (L.) Ulrich

1. Plant:
   1.1 shoots: presence or absence
   1.2 habit of the leaves
2. Leaf (at the adult plant stage):
   2.1 length, including petiole
   2.2 shape
   2.3 blistering
   2.4 colour
   2.5 width of the main leaf-vein system
   2.6 cross-section of the petiole
3. Monogerm

7. **RED BEET or BEETROOT**

Beta vulgaris L. var esculenta L.

1. Leaves:
   1.1 Leaf/root ratio
   1.2 intensity of anthocyanic colouring
2. Root:
   2.1 shape
   2.2 shape of the base
   2.3 appearance of cork on the skin

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2.4 external colour

2.5 colour of the flesh

3. Monogerm

4. Classification of early maturity

8. **CURLY KALE**

Brassica oleracea L. var. acephala D. C. subvar. Laciniata L.

1. Height of stalk

2. Leaf:

2.1 shape

2.2 colour

2.3 degree of curl

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10. **SPROUTING BROCCOLI or CALABRESE**

Brassica oleracea L. convar. botrytis L. Alef. var. italica Plenck

1. Stalk:

1.1 length

1.2 ramifications: presence or absence

2. Leaf:

2.1 undulation of edges of the lamina

2.2 anthocyanin: presence or absence

3. Inflorescence (before blooming of the first flower):

3.1 size

3.2 shape

3.3 firmness

3.4 colour

3.5 bracts: apparent or non-apparent

3.6 likelihood of second flowering

11. **BRUSSELS SPROUTS**

Brassica oleracea L. var. bullata subvar. gemmifera D C.

1. Stalk: length (at the mature plant stage)

2. Leaf: colour

3. Sprout:

3.1 size

3.2 shape

4. Classification of early maturity

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15. **KOHLRABI**

Brassica oleracea L. var. gongylodes L.

1. Plant size

2. Leaf: colour

3. Tuber:

3.1 shape

3.2 colour

▼B

4. Classification of occurrence of fibrousness
5. Classification of early maturity

16. **SPRING TURNIP — AUTUMN TURNIP**

Brassica rapa L. var. rapa (L.) Thell

1. Leaves (to be noted just before harvesting and from mature plants):
   1.1 type of leaf: whole or not
   1.2 leaf/root ratio
2. Root:
   2.1 shape
   2.2 colour of top
   2.3 colour of the flesh

17. **CHILI, PEPPER, CAPSICUM**

Capsicum annuum L.

1. Seedling:
   1.1 anthocyanin on the hypocotyl axis: presence or absence
   1.2 intensity of green colouring on the hypocotyl axis
2. Plant: length between nodes
3. Fruit:
   3.1 habit
   3.2 size
   3.3 shape (excluding the first fruit)
      3.3.1 shape of longitudinal cross-section
      3.3.2 shape of the peduncle
      3.3.3 shape of the apex
   3.4 colour
      3.4.1 colour (before ripening)
      3.4.2 colour (when ripe)
   3.5 thickness of the flesh
   3.6 appearance of the surface of the fruit
   3.7 capsaicin: presence or absence
4. Classification of early maturity

18. **ENDIVE**

Cichorium endivia L.

1. Habit of the plant
2. Leaves:
   2.1 appearance of the heart
   2.2 shape of young leaves of the heart (Scarole)
   2.3 shape of the mature plant
   2.4 colour of the leaf
   2.5 shine of the leaf
   2.6 appearance of the surface of the lamina (Scarole)
   2.7 appearance of the edge of the lamina
   2.8 anthocyanin on the principal leaf veins: presence or absence (Frisée)
3. Classification of early maturity
4. Resistance to bolting

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19. **CHICORY**

Cichorium intybus L. var. foliosum Bisch.

A. **Witloof chicory**

1. Leaves:

   tendency to early drying (to be noted in the Autumn of the 1st year)

2. Head: shape

3. Classification of early maturity on forcing

4. Rate of growth of the heart

B. **Large-leaved chicory** ***(Italian chicory)***

1. Leaf (vegetative phase):

   1.1 shape

   1.2 anthocyanin: presence or absence

2. Heart:

   2.1 shape

   2.2 shoots: presence or absence

   2.3 anthocyanin: presence or absence

   2.4 intensity of green colouring

   2.5 blistering of the leaf

20. **WATER MELON**

Citrullus vulgaris L.

1. Stalks:

   1.1 anthocyanin: presence or absence

   1.2 pilosity: presence or absence

2. Leaf (at the beginning of flowering):

   2.1 depth of denticulation

   2.2 pilosity: presence or absence

3. Flower (at the time of formation of the first fruits):

   3.1 shape of the corolla

   3.2 pilosity of the calyx: presence or absence

4. Sex

5. Fruit (at the stage preceding ripeness)

   5.1 size

   5.2 shape

   5.3 ribs: presence or absence

   5.4 basic colour of the rind (epicarp)

   5.5 colour of marbling of the rind (epicarp)

   5.6 colour of the flesh (endocarp)

   5.7 flesh cavity: presence or absence

   5.8 texture of the flesh

   5.9 seeds: presence or absence

6. Seed: (ripe and dry)

   6.1 size

   6.2 shape

   6.3 colour: unicoloured or multicoloured

7. Ploidy level

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21. **MELON**

Cucumis melo L.

1. Seedling:
   1.1 length of the hypocotyl axis
   1.2 size of the cotyledons
2. Sex
3. Fruit:
   3.1 size
   3.2 shape
   3.3 loosening of the penduncle
   3.4 ribs
   3.5 broderic
   3.6 colour of the rind (before ripening)
   3.7 colour of the rind (when ripe)
   3.8 marbling and specks
   3.9 colour of the flesh
4. Seed: (ripe and dry)
   4.1 size
   4.2 colour
5. Classification of the sugar content of the fruit (when ripe)
6. Classification of early maturity

22. **CUCUMBER — GHERKIN**

Cucumis sativus L.

1. Seedling: bitterness: presence or absence
2. Inflorescence: number of female flowers at each female level
3. Sex
4. Fruit:
   4.1 length
   4.2 colour (before ripening and when ripe)
   4.3 size and colour of thorns
   4.4 size and colour of hairs
   4.5 number and size of warts
   4.6 grooves
   4.7 broderic of the ripe fruit
   4.8 neck: presence or absence
   4.9 parthenocarpic development
   4.10 bitterness: presence or absence
5. Classification of early maturity

23. **MARROW**

Cucurbita pepo L.

1. Type of growth of the plant
2. Stalks:
   2.1 length between the nodes
   2.2 cross-section
3. Leaf (at the beginning of flowering):
   3.1 shape

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3.2 depth of denticulations

3.3 stains: presence or absence

3.4 tendrils: presence or absence

4. Flowers:

4.1 length of the penduncle of male flowers

4.2 corolla of female flowers: persistence or non-persistence

5. Sexual distribution

6. Fruit:

6.1 shape (at the harvesting stage)

6.2 ribs: presence or absence (at the harvesting stage)

6.3 basic colour of the rind (at the harvesting stage)

6.4 colour of the marbling of the rind (at the harvesting stage)

6.5 colour of the rind (when fully ripe)

6.6 marbling: presence or absence (when fully ripe)

7. Seed (ripe and dry): size

8. Classification of early maturity

24. **CARROT**

Daucus carota L. ssp. sativus (Hoffm.) Hayek

1. Leaves: height

2. Root:

2.1 length

2.2 shape

2.3 external colour

3. Seed (ripe and dry)—pilosity: presence or absence

4. Classification of early maturity

25. **FENNEL**

Foeniculum vulgare P. Mill.

1. Habit of the plant

2. Leaf: dimensions of laciniae

3. Grumolo:

3.1 shape

3.2 imbrications of sheaths

3.3 fibrousness of sheaths

3.4 shoots: presence or absence

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27. **PARSLEY**

Petroselinum hortense Hoffm.

1. Leaves:

1.1 height

1.2 shape

1.3 colour

2. Type of root

▼B

28. **RUNNER BEAN**

Phaseolus coccineus L.

1. Type of growth
2. Flower: colour
3. Pod:
   3.1 length
   3.2 fibres: presence or absence
4. Seed (ripe and dry): colour

▼M1

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30. **PEA**

Pisum sativum L. (excl. P. arvense L.)

1. Plant
   1.1 type of growth (dwarf or climbing)
   1.2 number of the 1st floral node (excluding the cotyledon node)
2. Leaf:
   2.1 colour
   2.2 maculation of the stipules: presence or absence
3. Inflorescence:
   3.1 number of flowers by inflorescence
   3.2 shape of the base of the vexillum: in V shape or not
4. Pod:
   4.1 length (in the dry state)
   4.2 shape of the free end
   4.3 dorsal profile (at the 2nd floral node)
   4.4 colour of the green seed
   4.5 parchment: presence of absence
   4.6 number of ovules
5. Seed (ripe and dry):
   5.1 size
   5.2 shape (including appearance)
   5.3 colour of the tegument
   5.4 colour of the cotyledons
   5.5 shape of the grains of starch (simple or compound)

31. **RADISH**

Raphanus sativus L.

A. **Raphanus sativus *L. var.* niger *Pers.***

1. Leaf: (observations from the 4th to the 7th leaf)
   1.1 length
   1.2 general shape
   1.3 denticulation
   1.4 colour of the petiole
   1.5 size of the terminal foliole
   1.6 colour of the terminal foliole

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2. Root:

2.1 size

2.2 shape

2.3 shape of shoulders

2.4 colour of the shoulders

2.5 shape of the end

2.6 appearance of the epidermis

2.7 colour of the epidermis

3. Classification of early maturity

B. **Raphanus sativus *L. var.* radicula Pers.**

1. Leaf: (observations from the 3rd leaf)

1.1 length

1.2 general shape

1.3 denticulation

1.4 colour

2. Root:

2.1 shape

2.2 colour of the epidermis

3. Classification of early maturity

32. **SCORZONERA OR BLACK SALSIFY**

Scorzonera hispanica L.

1. Root:

1.1 length

1.2 shape

1.3 appearance of epidermis

1.4 colour of epidermis

▼M1

▼B

34. **AUBERGINE or EGG PLANT**

Solanum melongena L.

1. Seedling:

1.1 anthocyanin on the hypocotyl axis: presence or absence

1.2 habit of the cotyledons

1.3 shape of the cotyledons

2. Plant:

2.1 length between the nodes

2.2 shape of the mature leaf

2.3 pilosity of the end of the stems

2.4 anthocyanin on the ends of the stems: presence or absence

2.5 spinosity (to be noted from the calyx)

3. Fruit:

3.1 size

3.2 shape

3.3 colour

3.4 shine

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3.5 distribution of pigments

3.6 pigments under the calyx: presence or absence

3.7 anthocyanin: presence or absence

3.8 nature of the anthocyanin

3.9 colour of the flesh

4. Classification of early maturity: period between germination and flowering

35. **SPINACH**

Spinacia oleracea L.

1. Plant: rate of growth
2. Leaf: (at the stage of maximum development of the first four leaves)

2.1 habit of the petiole

2.2 length of the petiole

2.3 colour

3. Leaves: (to be noted from the 7th leaf when the plants reach maximum development)

3.1 habit of the petiole

3.2 length of the petiole

3.3 colour

3.4 shape of the lamina

3.5 surface of the lamina

4. Seed (ripe and dry): shape
5. Classification of bolting
6. Sexual distribution
7. Resistance to Peronospora spinacial

36. **CORN-SALAD or LAMB'S LETTUCE**

Valerianella locusta (L.) Betcke (v. olitoria Polt.)

1. Size of plant
2. Leaf (at the harvesting stage):

2.1 habit

2.2 shape

2.3 colour

2.4 surface: smooth or veined

2.5 pilosity: presence or absence

2.6 shape of the edge of the leaf (to be noted from the tip)

2.7 indentation: presence or absence

3. Seed (ripe and dry):

3.1 size

3.2 shape

4. Classification of early maturity

37. **BROAD BEAN**

Vicia faba major L.

1. Stalk: length
2. Stipule: maculated or not
3. Flower: colour
4. Pod:

4.1 habit

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4.2 length

4.3 number of ovules

5. Seed: (ripe and dry)

5.1 size

5.2 general colour

5.3 tannin: presence or absence

5.4 colour of the hilum

38. **POPCORN**

Zea mays convar. Microsperma Koern.

39. **SWEET CORN**

Zea mays convar. Saccharata Koern.

1. Stalk:

1.1 anthocyanin on the nodes: presence or absence

1.2 level of insertion of the upper car on the principal stem

2. Ear:

2.1 colour of the stigmas (two to three days after coming out)

2.2 length of the peduncle

2.3 length of the spathes

2.4 colour of the stalk (at the stage of full ripeness)

3. Seed:

3.1 type of seed harvested

3.2 shape

3.3 colour of the apex and of the sides

4. Period between germination and:

4.1 the male flowering

4.2 the female flowering

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ANNEX II

A. MINIMUM GENERAL CONDITIONS

No	Species	P = single plants without preculture P.P = single plants with preculture P + Pa = single plants and plots	Number of plants or surface area of the plots per trial		Plots per trial	Trials per year	Years of sowing
			Plants	Plots (m^2)			
1	2	3	4	5	6	7	8
1	Onion	P + Pa	150		2	2	2
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▼B							
3	Chervil						
	(a) roots	P + Pa	40	—	2	2	2
	(b) leaves	P + Pa	—	2	2	2	2
4	Celery	P.P	40		2	2	2
5	Asparagus	P.P	20		2	2	2
6	Spinach beet, chard	P + Pa	40		2	2	2
7	Red beet or beetroot	P + Pa	40		2	2	2
8	Curly kale	P.P	40		2	2	2
▼M1							
▼B							
10	Sprouting broccoli or calabrese	P.P	40		2	2	2
11	Brussels sprouts	P.P	40		2	2	2
▼M1							
▼B							
15	Kohlrabi	P.P	40 (1)		2	2	2
16	Spring turnip — Autumn turnip	P	40		2	2	2
17	Chili, pepper, capsicum	P.P	40 (1)		2	2	2

▼B

No	Species	P = single plants without preculture P.P = single plants with preculture P + Pa = single plants and plots	Number of plants or surface area of the plots per trial		Plots per trial	Trials per year	Years of sowing
			Plants	Plots (m^2)			
1	2	3	4	5	6	7	8
18	Endive	P.P	40		2	2	2
19	Chicory	P + Pa	100		2	2	2
20	Water melon	P.P	20 (1)		2	2	2
21	Melon	P.P	20 (1)		2	3	2
22	Cucumber — Gerkin	P	20 (1)		2	2	2
23	Marrow	P	20 (2)		2	2	2
24	Carrot	P + Pa	200 (1)		2	2	2
25	Fennel	P + Pa	40		2	2	2

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27	Parsley						
	(a) leaves	P + Pa	40		2	2	2
	(b) roots	P + Pa		2	2	2	2
28	Runner bean	P + Pa	60		2	2	2

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30	Pea (on stakes)	P + Pa	100		2	2	2
31	Radish						
	(a) var. *niger*	P + Pa	50		2	2	2
	(b) var. *radicula*	P + Pa	100		2	2	2
32	Scorzonera or black salsify	P + Pa	100		2	2	2

▼B

No	Species	P = single plants without preculture P.P = single plants with preculture P + Pa = single plants and plots	Number of plants or surface area of the plots per trial		Plots per trial	Trials per year	Years of sowing
			Plants	Plots (m^2)			
1	2	3	4	5	6	7	8
▼M1							
▼B							
34	Aubergine or egg plant	P.P	30 (1)		2	2	2
35	Spinach	P + Pa	60 (1)		2	2	2
36	Corn salad or lamb's lettuce	P + Pa	60 (1)		2	2	2
37	Broad bean	P + Pa	40		2	2	2
38	Popcorn	P + Pa	40		2	2	2
39	Sweet corn	P + Pa	40		2	2	2

(1) This number is reduced by half if the trial is carried out in a hothouse.
(2) This number is reduced by half in the case of climbing plants.

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B. **SPECIAL REMARKS**

1. The person making the application shall make available to the competent authorities the quantities of seed that the latter consider necessary in order to carry out the trials and subsequent inspections.

2. The seed must satisfy the quality conditions for seed laid down in Annex II of the Council Directive [1] of 29 September 1970 on the marketing of vegetable seed.

3. In the case of perennial plants the trials must be continued until all the characteristics have been observed and noted at least once.

4. If it is not certain whether the method of inspection used in one Member State is also applied in the other Member States this method must be indicated.

5. If the number of trial grounds per year is not adhered to, the number of plots per year should be increased accordingly.

6. The minimum conditions laid down in part A. may be reduced for checking genealogical factors.

[1] OJ No L 225, 12.10.1970, p. 7.