



Canadian Food  
Inspection Agency

Agence canadienne  
d'inspection des aliments

# QSP 152.1

## Seed Program Quality System Procedure

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### Implementation of the OECD Seed Schemes and EU Seed Directives

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**Canada**



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## Date

This version of the Implementation of the OECD Seed Schemes and EU Seed Directives Quality System Procedure (QSP) was issued October 7, 2019.

## Contact

The contact for this document is the National Manager, Seed Section. Comments on this document should be addressed to the National Manager at: [CFIA.Seed-Semence.ACIA@Canada.ca](mailto:CFIA.Seed-Semence.ACIA@Canada.ca).

## Review

This document is subject to periodic review and amendments will be issued as needed.

## Endorsement

This Seed Program QSP is hereby approved.

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Director, Plant Production Division

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Date

## Distribution

The current version of this document is maintained on the Canadian Food Inspection Agency (CFIA) internal and external websites. The signed original is retained by the National Manager, Seed Section.

## 0.0 Introduction

The CFIA is the National Designated Authority (NDA) responsible for implementing and administering the Organisation for Economic Cooperation and Development (OECD) Seed Schemes and the Seed Directives of the European Union (EU) in Canada.

The OECD Seed Schemes (the Schemes) facilitate the international trade of seed and aim to encourage the use of consistently high quality seed in participating countries. The Schemes are open on a voluntary basis to all members of the OECD as well as to other States that are Member countries of the United Nations Organization or of its Specialized Agencies.



The Schemes are intended to complement the national systems. There is an obligation when implementing the Schemes to use the higher standard of the two systems. Canada's seed crop production standards as established by the Canadian Seed Growers' Association (CSGA) are, in most cases, higher than the OECD standards. Hence, most domestically produced seed of pedigreed status is eligible for OECD certification.

Canada has participated in the Schemes since 1962 and currently participates in the *Grass and Legume, Crucifer and other Oil or Fibre Species, Cereal, Fodder Beet and Sugar Beet, Maize, and Sorghum* Seed Schemes.

The Schemes are based on the following principles:

1. They include only those varieties that are officially recognized as distinct;
2. All Certified seed must be produced directly from authentic Basic seed of the variety; and
3. Post control tests are conducted to confirm that the Schemes are operating satisfactorily.

Canada currently has EU equivalency based on participation in the Schemes and membership in the International Seed Testing Association (ISTA). It is specific to crop kind and is for pedigreed seed only. Marketing of common seed of the major agricultural species is prohibited in the EU.

## 1.0 Scope

This Seed Program Quality System Procedure (QSP) outlines the regulatory and policy requirements for exporting seed from Canada, pursuant to the Schemes and the EU Seed Directives. This document for use when exporting seed without the Schemes (ex: common seed using an OIC or exports for AOSCA).

This QSP applies to seed destined for export from Canada for which OECD varietal certification and/or conformity verification for the EU Seed Directives are required. Sampling and testing of OECD seed lots may be carried out by the CFIA or by private persons authorized to do so by the CFIA under the Authorized Exporter Program (AEP). General information on the AEP is on the AEP webpage (<http://www.inspection.gc.ca/plants/seeds/exports/authorized-exporters/eng/1347217526875/1347217648716>).

This document is intended for use with SWI 132.1.1, QSP 132.4, and OP 14666.

## 2.0 References

The relevant publications in SPRA 113 References for the Seed Program are applicable to this QSP, as well as the most up-to-date versions of:

- SPRA 131 Inspection Agency Requirements for the Delivery of the Seed Certification Program
- QSP 132.4 Official Seed Sampler Certification



- SWI 132.1.1 Official Seed Sampling
- The International Rules for Seed Testing, Chapter 2: Sampling (ISTA Rules)
- The ISTA Handbook on Seed Sampling
- OP 14666 – Procedure for certifying seed lots under the OECD Seed Schemes and EU Seed Directives
- The OECD Seed Schemes – Rules and Regulations
- EU Directives
  - ([https://ec.europa.eu/food/plant/plant\\_propagation\\_material/legislation/eu\\_marketing\\_requirements\\_en](https://ec.europa.eu/food/plant/plant_propagation_material/legislation/eu_marketing_requirements_en))
    - 66/401/EEC on the marketing of fodder seed
    - 66/402/EEC on the marketing of cereal seed
    - 2002/57/EC on the marketing of seed of oil and fibre plants
    - 2003/17/EC on the equivalency requirements

## 3.0 Definitions and Acronyms

Relevant definitions in SPRA 101 Definitions for the Seed Program are applicable to this QSP. Below are some additional definitions and acronyms specific to this QSP.

### 3.1 Definitions

**Authorized Exporter Program (AEP):** a voluntary program administered by the CFIA by which private persons are authorized to sample, tag and test export seed lots certified pursuant to the OECD Seed Schemes.

**Blend:** A seed lot that contains two or more lots of OECD Certified seed of the same generation (1st or 2nd) of one variety. Note that the OECD has a different definition compared to the domestic definition given here, which is discussed further in Appendix I.

**Licensed Seed Crop Inspector (LSCI):** a private individual licensed under Subsection 4.2(1) of the Seeds Act to inspect pedigreed seed crops and complete Reports of Seed Crop Inspection

**Mixture:** a combination of seed of two or more varieties, crop kinds, or species. Note that the OECD has a different definition compared to the domestic definition given here, which is discussed further in Appendix I.

**Official Seed Crop Inspector:** an individual employed by the CFIA who is certified to conduct inspection of pedigreed seed crops and complete Reports of Seed Crop Inspection

**Official Seed Sampler:** an employee of the CFIA who is trained, evaluated and certified as a domestic or ISTA seed sampler.



**Sealed:** a container in which seed is held closed in such a way that it cannot be opened to gain access to the seed and closed again without either destroying the seal or leaving evidence of tampering. This definition refers to the sealing of seed lots, as well as of seed samples.

### 3.2 Acronyms

AC – Approved Conditioner

AE – Authorized Exporter

AEP – Authorized Exporter Program

AOSA – Association of Official Seed Analysts

CFIA – Canadian Food Inspection Agency

CSGA – Canadian Seed Growers' Association

EU – European Union

HVS – Higher Voluntary Standards

ISTA – International Seed Testing Association

LSTS – Lab Sample Tracking System

NDA – National Designated Authority

NFC – Not Finally Certified

OECD – Organization for Economic Cooperation and Development

OIC – Orange International Certificate

OP – Operational Procedures

OPL – Ottawa Plant Laboratory, Ottawa ON

P&G – Purity and Germination testing

QSP – Quality Systems Procedures

RSE – Registered Seed Establishment

SPRA – Seed Program Regulatory Authority

SSTS – Seed Science and Technology Section, Saskatoon SK

SWI – Specific Work Instructions



VC – Varietal Certificate

VV – Variety Verification

## 4.0 OECD Certification

### 4.1 General

OECD certification standards only relate to varietal purity. In some rare instances, the OECD rules include some standards for weeds or weed seeds.

The OECD List of Varieties Eligible for Certification is an official list of varieties accepted as being eligible for certification by the NDAs of participating countries. These varieties move in international trade pursuant to the Schemes. The List is available in PDF format on the OECD web site (<http://www.oecd.org/tad/code/oecd-list-of-varieties-eligible-for-certification.htm>) and also in an electronic database at <http://www.niab.com/oecdv2/>.

All varieties that appear on the OECD List of Varieties Eligible for Certification in the Schemes must have a maintainer. The maintainer of a variety is a person or an organisation responsible for maintaining the variety and ensuring that it remains true to type throughout its full life-span and, in the case of hybrid varieties, that the formula for hybridisation is followed. Requirements for the control and production of seed are set out in Rules 5-7 of the Common Rules and Regulations of the Schemes. They are available on the OECD web site (<http://www.oecd.org/tad/code/oecdseedschemesrulesandregulations.htm>).

Due to lower varietal purity standards in the Schemes versus Canada's crop varietal purity standards, discussed in Section 0.0, there may be occasions where fields sown with OECD Basic seed are rejected for Canadian certification after crop inspection, as crop inspection may reveal that the varietal purity will not meet Canadian standards.

The requirements set out in the OECD sections of this document also apply to seed using the 'EU Rules and Standards' statement. However, there are additional requirements to seed bearing this statement, which are captured in Sections 5.0 to 5.9.

### 4.2 Procedures

In order to be certified under the Schemes seed must be inspected and sampled in a way that meets the requirements outlined in the Schemes. The domestic procedures that the CFIA have put in place meet these requirements, thus there are no changes in the inspection and sampling portions of seed certification for export.

#### 4.2.1 Procedures for crop inspection

For crops being certified under the OECD Seed Schemes, inspectors are to follow the Canadian Seed Growers' Association (CSGA) Circular 6 - 2005, Canadian Regulations and Procedures for





Pedigreed Seed Crop Production and QSP 142.1 Pedigreed Seed Crop Inspection Procedures and its related SWIs.

#### **4.2.2 Procedures for Seed Sampling:**

- QSP 132.4 – Official Seed Sampler Certification
- SWI 132.1.1 – Official Seed Sampling
- OP 14666 Procedures for sampling and sealing lots of seed being exported or imported under the OECD Seed Schemes and EU Seed Directives

Note that procedures may differ if the seed lot is a part of the Authorized Exporter Program; please refer to relevant sections in the above documents and to Section 7.0 of this QSP for more information.

#### **4.2.3 Post control Procedures**

Post control tests are outdoor plot grow-out tests in which plants from seed that was certified pursuant to the Schemes is compared to plants of the Official Reference Control sample. The plots are used to confirm that the seed's varietal purity is compliant with domestic (AOSCA) seed varietal purity standards and that the varietal identity of the seed has been preserved.

Post control tests (variety verification plot tests) are a requirement of the Schemes. Every Pre-Basic, Basic, as well as a proportion (normally 10%) of Certified seed lots of domestic varieties must be submitted for post control testing. Currently Canada requires a post-control sample for all lots exported under OECD, except for herbage mixtures.

For maize and sorghum, when Basic seed lots are certified, post-control tests can be made by the breeder's authorized representative under the supervision of the CFIA, or by the CFIA directly.

Variety verification results are used to report to the OECD and are not required for certification of the lot.

### **4.3 Application for Seed Analysis Certificate for Export Purposes (CFIA 1113)**

In order to have seed certified under the Schemes, exporters must complete the CFIA 1113 form. The CFIA 1113 form is the application for seed analysis for the export of seed under the Schemes or for issuing an OIC for ISTA purposes. The form indicates the type of certification and the seed tests being requested and is submitted to CFIA operations staff. Instructions to complete the CFIA 1113 form are included in with the CFIA 1113 form. The information on the CFIA 1113 form is verified prior to and during the sampling visit by the official seed sampler.



The CFIA local office assigns a reference number to be used on the tags (a CDN number) to the seed lot. This can be done either individually on a lot by lot basis or by assigning a block of numbers issued to the exporter. This is often done ahead of the completion of the CFIA 1113 form.

There are maximum lot sizes that must be observed when exporting seed. The maximum lot size is based on the weight of the seed, regardless of any additives that might be present (fertilizer, soil etc.) Note that lots of seed that have one variety with an additive are not considered mixtures in the context of this document. The ISTA Rules have more detailed information on maximum lot sizes.

Additional standards may be required to be met depending on the country that the lot is being exported to. It is the exporter's responsibility to ensure that the laboratory is made aware of these additional standards. This information must be included on the CFIA 1113 form. An example of an additional standard is Higher Voluntary Standards (HVS), as required by the United Kingdom.

#### 4.4 OECD tags

There are six different kinds of OECD tags.

- Pre-Basic (CFIA 0046) - white with a diagonal violet stripe
- Basic (CFIA 0030) – white
- Certified 1st Generation (CFIA 0035) – blue
  - Certified Adhesive tag (CFIA 0044/CFIA 0045) - blue
- Certified 2nd Generation, or subsequent generations (CFIA 0029) – red (for exceptional circumstances only)
- Not Finally Certified (CFIA 0048) - grey. This tag must not be used with the statement "EU rules and standards".
- Certified Mixture of Herbage Seed (CFIA 5346) – green

Copies of these tags can be found in Appendix X of SWI 132.1.1.

The following information is required on the tag:

- Species - Scientific name (genus and species) of the crop kind.
- Variety (Cultivar) name as stated in the OECD List of Varieties.
  - A synonym of a variety name is acceptable for labelling under the Schemes, as long as the synonym appears on the OECD List.
  - If there is a slight discrepancy between the variety name on the OECD List and the crop certificate (e.g., dash or comma difference), the OECD List shall be deemed correct. If a larger discrepancy is found, contact Seed Section at [cfia.seed-semence.acia@canada.ca](mailto:cfia.seed-semence.acia@canada.ca) for further direction.



- When requested to label a variety not on the OECD List, the official seed sampler shall request the Canadian exporter to provide evidence that an application has been made for the addition of the variety to the OECD List.
  - For corn, include after the variety name (or code name):
    - "hybrid" for Certified; or
    - "inbred line" or "cross" for Basic and Pre-Basic
- Category (pedigreed status) of the seed (e.g., Pre-Basic, Basic or Certified, 1<sup>st</sup> generation).
  - Pre-Basic seed must state the number of generations prior to Certified, 1<sup>st</sup> generation.
- OECD reference number (CDN number)
  - The local CFIA office issues this number to the exporter.
- Region of Production - State the country of production
  - This is the country where the seed was grown.
- If seed has been re-packaged and re-labelled, a statement of re-labelling (i.e., "re-packaged and re-labelled") is to be shown on the reverse side of the tag. Note that for corrections of errors in the original labelling, the re-packaging and re-labelling statement is not required.

The CFIA 5346 (Certified Mixture of Herbage Seed) tag requires:

- Name of mixture – the name and brand of the mixture if applicable
- Seed mixture purpose – e.g. turf, lawn, grazing
- OECD Reference number
- Month and year of sealing
- Net weight of the seed
- The Latin name for the species of each of the constituents
- The variety name of each of the constituents
- The percentage by weight of each of the constituents

In both the tagging scenarios above, there may be additional information required on the tag if the lot is going to the EU. Other information could be included on the unofficial part of the tag, at the exporter's discretion.



The seed lot reference numbers for each of the constituents are recorded on the VC instead of on the tag, unless the lot is in small packages, in which case the reference number of each constituent must appear on the bag or tag.

The required number of OECD tags are to be printed or it must be verified that the required number of OECD tags were printed. It must be verified that all containers have tags properly and securely attached.

Exporters must maintain an inventory of their tags, including numbers of tags used vs. destroyed.

Note: OECD Basic seed is only eligible to produce Canadian Certified seed. In the case of OECD Pre-basic seed, the seed tag must indicate the number of generations permitted prior to OECD Certified, 1st generation seed. If this information is not on the OECD Pre-basic seed tag, the seed is only eligible to produce seed that is one generation prior to Certified, 1st generation seed. A letter or agreement from the NDA in the country of origin can be provided indicating the number of generations permitted prior to OECD Certified, 1st generation.

#### **4.5 Re-packaging and re-labelling OECD Seed with OECD Tags**

Re-packaging and re-labelling shall normally occur only in RSEs that are ACs.

Re-packaging and re-labelling may occur when:

- Seed in larger packages/containers is re-packaged into smaller ones;
- Errors in the original labelling need to be corrected;
  - The re-packaging and re-labelling statement is not required in this instance.
- Seed is re-packaged because it was damaged during transit; or
- Certifying imported Not Finally Certified (NFC) seed as Pre-Basic, Basic or Certified seed.

The re-packaging and re-labelling of OECD seed lots must be conducted in the presence of a CFIA inspector.

In cases where tag corrections are required, it is preferable to re-label. If it is not possible to re-label, contact the CFIA local office for guidance. Any changes made must be clear, legible, and verified by the official seed sampler.

##### **4.5.1 Lot numbers for re-packaged or re-labelled lots**

The new tags shall either state the original lot number or a new lot number (CDN number).

- If the nature of the lot has changed (e.g., if it has been cleaned, blended, treated or coated) then a new sample must be taken and a new CDN number must be issued.
- If the nature of the lot has not changed, then a new CDN number does not need to be issued.



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If a new CDN number is issued, the original reference must be included on the back of the tag, with the statement “Re-packaged and re-labelled from (insert original reference number)”

The table below indicates the tagging/labelling options for OECD seed that is re-labelled.

	<b>Original tag</b>	<b>OECD tags</b>	<b>Canadian tag</b>	<b>Additional Information</b>
<b>For re-export with OECD tags</b>	OECD NFC	If maintaining NFC status, the original tag can be maintained.  New OECD tag required if the lot is being certified as:  OECD Pre-Basic* OECD Basic* OECD Certified*	n/a	*Maximum lot size must be respected *Lot must be sampled for issuance of OIC
<b>For re-export with OECD tags</b>	OECD Pre-Basic OECD Basic OECD Certified	Maintain the original tags OECD Pre-Basic OECD Basic OECD Certified	n/a	
<b>For sale in Canada: – kinds in Schedule I (Grade Tables)</b>	OECD Certified	Original OECD tag can be used by itself.	Interagency tag (CFIA 0034) with Grade name on tag	<u>OECD tags:</u> -Domestic sampling, testing and grading required -Grade name on accompanying document. OR <u>Interagency tag:</u> -Domestic sampling, testing and grading required. -Grade name on tag.



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<p><b>For sale in Canada:</b> – kinds in Schedule I (Grade Tables)</p>	<p>OECD Pre-Basic OECD Basic</p>	<p>Original OECD can remain or be removed, but Interagency tag must be attached</p>	<p>Interagency tag (CFIA 5627) with Grade name on tag.</p>	<p><u>Interagency tag:</u> -Domestic sampling, testing and grading required. -Grade name on tag.</p>
<p><b>For sale in Canada:</b> – kinds in Schedule I (Grade Tables)</p>	<p>OECD NFC</p>	<p>Original OECD can remain or be removed, but Interagency tag must be attached</p>	<p>If originally OECD NFC but Certified status: -Interagency tag (CFIA 0034) with Grade name on tag.</p> <p>If originally OECD NFC but Pre-Basic or Basic status, or OECD Pre-Basic or OECD Basic: -Interagency tag (CFIA 0034 or CFIA 5627) with Grade name on tag.</p>	
<p><b>For sale in Canada:</b> – kinds not in Schedule I (Grade Tables)</p>	<p>OECD NFC OECD Pre-Basic OECD Basic OECD Certified</p>	<p>Original OECD tag must remain</p>	<p>n/a</p>	<p>-Domestic sampling and testing (purity standards only) required.</p>



				-No grade name is applied.
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Prior to sale, the imported seed must be graded by an accredited grader and labelled pursuant to the *Seeds Regulations*. The pedigreed status must be determined as per 4.1.3(6)(d) of this QSP.

#### 4.6 Certification documents

An OECD Varietal Certificate must be completed in order for the seed lot to be certified under the Schemes. A CFIA 0006, CFIA 0007 (EU Rules and Standards) or CFIA 5703 (Mixtures of Herbage Seed) varietal certificate is issued for each seed lot certified under the Schemes. For mixtures, the seed lot reference numbers for each of the constituents are recorded on the VC.

#### 4.7 Release of shipment

The shipment is eligible for release prior to receiving the results of the ISTA OIC unless the OECD tags bear the statement "EU Rules and Standards". See Section 5.8 when this statement appears on the tags.

#### 4.8 Blends (as defined for OECD purposes)

Blending must be done in such a way that the new lot is homogeneous.

Two or more lots of seed of the same variety may be blended, inspected, and sealed under OECD Certified status only. The individual components must have been previously certified under the Schemes.

Higher generation status lots (such as Select, Foundation or Registered status) can be blended, but only if the final status of the lot is OECD Certified. The seed shall be labelled with a CFIA 0035 tag.

Imported OECD certified seed may be blended and a new CDN number issued. No statement of relabelling is required in this circumstance.

In all cases, records must be kept showing the reference number of the lots making up the blend and the proportion of each lot in the blend. A reference number is required for all blends. If the components of the blend have been previously OECD certified (i.e., each component has its own reference number), a new reference number is assigned for the blend.

Note that stacking of lots (the combining of lots without mixing them) is not allowed as the final product is not homogeneous.

No form of combining separate lots to make one lot for OECD certification at the Pre-Basic or Basic level is allowed.

#### 4.9 Mixtures (as defined for OECD purposes)



Mixtures of cereals, forages, legumes, and corn are allowed. Cereals here refer to the species listed in the OECD Cereal Schemes.

The following apply to all mixtures under the Schemes:

- Mixtures can only be Certified status under the Schemes. An OECD reference number must be issued for each component of the mixture.
- An official seed sampler does not have to be present during mixing and labelling, but will need to take a representative sample after sealing.
- The maximum lot size is based on the species which is the greatest part of the mixture
- There are additional restrictions for mixtures moving to the EU (Section 5.9).

The two types of mixtures allowed under the Schemes are mixtures of herbage seed, and mixtures of maize seed. All mixtures must be labelled with a CFIA 5346 tag.

#### **4.9.1 Mixtures of certified herbage seed**

Only seed lots previously certified under the rules of the Schemes shall be eligible to be a component for inclusion in a mixture of certified herbage seed. An OECD herbage mixture is a mixture of species and/or varieties that are listed in the following Schemes:

- OECD Grass and Legume Seed Scheme,
- Subterranean Clover and Similar Species Seed Scheme, and
- Cereal Seed Scheme.

Any combination of varieties of an individual species or of several species included in the list of varieties from these Schemes may be included in an OECD herbage mixture.

In addition, a mixture of herbage seed may contain one or more varieties of species in the Schemes below provided that at least one species in the mixture is listed in one of the three Schemes above:

- Sorghum Seed Scheme
- Crucifers and Other Oil or Fibre Species' Seed Scheme
- Maize Seed Scheme

For more information, refer to Common Appendix 7 of the Schemes.

#### **4.9.2 Mixtures of certified maize seed**





Only seed lots previously certified under the rules of the Schemes shall be eligible to be a component for inclusion in a certified mixture of maize seed. Certified mixtures of maize seed may include varieties that make the mixture effective against the propagation of certain harmful organisms. For more information, refer to Appendix 5 of the Maize Seed Scheme.

## **4.10 Imports**

In some cases, seed produced in another country is imported into Canada solely for the purpose of multiplication. This seed, once multiplied, is exported back to the country that it originated from. Often, the CFIA will be notified by the originating country of such multiplications via a multiplication agreement.

If imported seed is sold in Canada it must be graded by an accredited grader and labelled pursuant to the Seeds Regulations. The pedigreed status must be determined as per Section 4.2 of this QSP.

## **5.0 EU Certification**

### **5.1 General**

For sale of OECD certified seed in the EU, the following requirements must be met in addition to the OECD requirements outlined above.

#### **5.1.1 EU Equivalency**

In order to export seed to the EU, countries that are not EU member states (third countries) must have control systems in place that provide the same assurances for seed quality as seed that is produced in the EU. The required control systems include:

- Being officially certified
- Being officially closed in packages as per the Schemes
- Being sampled and tested using ISTA or AOSA seed testing methods
- Seed sampling, packaging and labelling of containers being carried out under official supervision of the competent authorities based on the Schemes.

If it is deemed that these assurances can be made, the third country is granted "equivalence" for a specified period of time. Canada currently has this equivalency. If at any time the EU considers that such assurances can no longer be made, the equivalence may be withdrawn, subsequently barring access to the EU marketplace.

### **5.2 Maintenance of Varieties**



As described in Section 4.1, all varieties on the OECD List of Varieties Eligible for Certification in the Schemes must have a maintainer. The maintainer of a variety is a person or an organization responsible for re-selecting and maintaining the breeder stock.

For varieties maintained outside of the EU to be acceptable for sale in the EU, the third country must have been granted equivalence for the official oversight of practices for the maintenance of varieties. Canada has been granted equivalence for all major crop kinds.

### **5.2.1 Varieties maintained exclusively in the EU**

Varieties not registered outside of the EU are said to be maintained exclusively in the EU. These varieties have the following restrictions when multiplied outside of the EU:

- Pre-Basic seed must have been produced in the EU.
- Basic seed can be produced in Canada if it is derived from Pre-Basic seed produced in the EU.
- There are no restrictions on the production of Certified seed, unless specified in a multiplication agreement.

### **5.2.2 Varieties maintained in Canada**

For varieties maintained in Canada, there are no restrictions on the location of the production of parental material and Pre-Basic or Basic seed, providing Canada maintains its equivalence for the official oversight of practices for the maintenance of varieties.

## **5.3 Crop inspection**

Crop inspection procedures must adhere to the Schemes.

For seed being exported to the EU, fields producing Pre-Basic and Basic seed need to be officially inspected by a CFIA inspector. Fields producing Certified seed can be inspected by an LSCI.

## **5.4 Application for EU Seed Certification**

To have the seed ready for marketing in the EU, exporters must request on the CFIA 1113 form both OECD certification and EU certification. Seed certification for seed destined to the EU is initiated upon receipt of a completed CFIA 1113 form. For EU seed certification, the statement 'EU Rules and Standards' and the country of destination must be indicated on the CFIA 1113. The statement 'EU Rules and Standards' means that the seed lot meets the standards for purity, germination, disease, and any other requirements needed for certification in the EU. See section 5.9 for release requirements.

## **5.5 EU Labelling**

The requirements discussed here are in addition to the OECD requirements set out in Section 4.5.



Seed lots certified in Canada destined for the EU must contain an OECD inner tag with at least the variety name, species name, and reference number. The inner tag is not necessary if the information is printed indelibly on the package or if an adhesive tag is used.

In addition to the information required by the Schemes, the following must appear (usually on the back of the OECD tag):

- The statement 'EU Rules and Standards';
- Any chemical treatment of the seed, as well as the active substance, shall be noted either on the official tag or on a special tag plus on the container or inside it;
- The statement 'Sampled and analysed according to the ISTA Rules for the issuance of the orange certificate by ... (name of the ISTA seed testing station)';
- Date of official closing (sealing) - month/year;
  - Seed sampling may only take place if the date on the tag is the same month/year as the date of sampling or a month/year prior to the date of sampling. If the OECD tag bears a future date, the official seed sampler must defer sampling until that future time or require that the OECD tags be corrected. Tags may be corrected manually or by applying a sticker over the incorrect date with the correct date. Corrections are to be made by the establishment and witnessed by the official seed sampler.
- Declared net or gross weight or declared number of pure seeds or, in the case of beet seeds, number of clusters;
- Where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of pure seed and the total weight;
- For varieties of grasses that are not identified as suitable for fodder production in the EU Common Catalogue, the statement 'Not intended for the production of fodder plants';
- For a genetically modified variety, the words "genetically modified variety" together with any other information relating to the genetic modification itself as may be required by its authorization for the EU.
- In the case of cereal mixtures, the words "mixture of" followed by the species and varieties and a qualifying statement that the mixture is effective against the propagation of a harmful organism

Note: Seed labelled with only the OECD information outlined in Section 4.5, including Not Finally Certified seed, is permitted to be exported to the EU. However, the seed will have to be relabelled with the above information before it can be marketed within the EU.



## 5.6 Verification of EU Eligibility

Varieties to be marketed in the EU must appear in the EU's Common Catalogue of Varieties of Agricultural Plant Species (EU Common Catalogue). It is the responsibility of the exporter to verify that the variety appears in the EU Common Catalogue.

In order for a lot to be labelled with the "Meets EU Rules and Standards" statement, the variety must appear in the EU Common Catalogue and meet the standards outlined in the EU Directives. In addition, the phytosanitary requirements of the importing country must be met.

## 5.7 Certification procedures

In addition to varietal purity, the EU has established mechanical purity, germination, and disease standards for seed marketed in the EU. To determine if the EU standards are met, seed tests are conducted pursuant to the ISTA Rules. The seed laboratory will notify the official seed sampler and the company if the seed lot does not meet the EU standard for mechanical purity, germination, and disease standards (if applicable). Pedigreed seed that meets the EU standards and has been produced, packaged, and labelled according to the Directives can bear the statement 'EU Rules and Standards'.

Crop inspection for Pre-Basic and Basic seed must be carried out by a CFIA inspector. If the crop inspection is not carried out by a CFIA inspector, the crop will not be eligible for export as Pre-Basic or Basic seed with the statement 'EU Rules and Standards'.

Specific requirements for seed quality, packaging and labelling are set out in EU Seed Directives.

## 5.8 EU Varietal Certification Document

The CFIA 0007 (EU Rules and Standards) varietal certificate includes the statement 'EU Rules and Standards'. This varietal certificate can only be used in those instances where the tag bears the same statement and the seed has met the requirements of the relevant EU Seed Directive.

The CFIA 0007 (EU Rules and Standards) is to be used for certification of single species; the CFIA 5703 (Mixtures of Herbage Seed) is to be used for mixtures of certified seed.

## 5.9 Release of Shipment

The 'EU Rules and Standards' statement means that the seed conforms to the mechanical purity, germination, and disease standards. This must be confirmed by the analysis results for the ISTA OIC. Seed labelled with the 'EU Rules and Standards' statement cannot be officially released for shipment until the test results confirm that the seed meets the standards. Exporters who ship seed prior to completion of the tests and confirmation that the EU standards have been met are fully responsible for any seed lots that are found to not be in compliance.



If the test results show that the seed does not meet the EU standards but it has been labelled as meeting the EU standards, one of the following options may be followed:

1. The seed lot can be re-conditioned, re-tested, and packaged and labelled with the appropriate OECD tags;
2. The tags can be removed followed by regular OECD labelling with the same CDN number, which must be supervised by an official seed sampler; or
3. The statement can be stroked out.

The statement of re-packaging and re-labelling is not required in these circumstances.

If seed labelled 'EU Rules and Standards' has been shipped, and the test results indicate that the seed does not meet the EU standards, the CFIA must contact officials in the destination country to notify them of this error. In these cases, the exporter must provide the official seed sampler with the following information to provide to officials in the destination country:

- Species, variety, quantity and reference number
- Company name
- Date of shipping
- Final destination
- Estimated date of arrival and port of entry
- Consignee's name
- Container number (if applicable)
- A compliance assistance fee shall be assessed against the exporting company (\$90 minimum).

## **5.10 EU Mixtures**

There are additional restrictions for mixtures moving to the EU. Additional information is found in the EC directives, listed in the references, Section 2.0.

### **5.10.1 Cereal mixtures in the EU**

In the EU, cereal mixtures are only allowed for a mixture of varieties of one species, and only if that mixture is effective against the propagation against a harmful organism. An example of this would be 'refuge in a bag' corn blends.

### **5.10.2 Herbage mixtures in the EU**

In the EU, herbage mixtures are called fodder mixtures, and may be a mixture of any species and/or varieties as long as one species within the mixture is on the list of species found in the Fodder Directive. Beet seeds are not permitted to be included in a fodder mixture.

## **6.0 Not Finally Certified seed lots**



## 6.1 General

Not Finally Certified (NFC) seed is seed that has met the crop varietal purity standards and associated requirements (i.e., it has a crop certificate from the CSGA), but is different from Pre-Basic, Basic, or Certified Seed in the following ways:

- No laboratory testing for mechanical purity, germination, and diseases has been carried out on NFC seed (No ISTA OIC required);
- There are no maximum lot size requirements for NFC seed;
- NFC seed can be of any status (i.e., Pre-Basic, Basic, or Certified) and is acceptable for use as seed for further multiplication accordingly;
- The tag for OECD NFC seed is grey in colour (CFIA 0048);
- The 'EU Rules and Standards' statement cannot appear on the tag; and
- The CFIA 1113 form should be completed by the exporter, and clearly indicate that the seed is NFC and no testing is required.
- An exporter may request NFC certification for breeder status seed (i.e Pre-Basic) for the purposes of multiplication.

With the exception of seed analysis and verification of maximum lot size, all other operations (e.g., crop inspection, printing of tags, the sealing and labelling of seed lots) are carried out according to the Schemes, in the same manner as Pre-Basic, Basic, or Certified Seed.

Note that Canada carries out VV testing of NFC seed lots; however, this is not an explicit requirement of the Schemes.

## 6.2 Import of NFC seed

Imported NFC seed can be planted without further testing in Canada or relabelling, provided it is of the proper status for multiplication. When NFC seed is used as parent seed for multiplication, regular crop inspection procedures as per Circular 6 and QSP 142.1 and its related SWIs apply.

If the imported NFC seed is to be sold in Canada (e.g., prior to multiplication), it must be sampled, tested, and graded (if applicable). Specific sampling instructions for NFC seed are included in SWI 132.1.1. If the seed is to be sold in Canada, it may need to be re-tagged and/or re-labelled. Refer to the re-labelling Section 4.6.

## 7.0 Authorized Exporter Program (AEP)

### 7.1 General

The AEP is consistent with the Schemes and with the EU rules. The basic requirements for OECD certification of a seed lot are the same for exporters participating in the AEP as for exporters not participating in the AEP. However, the persons and facilities involved, and the applicable procedures differ somewhat as indicated in the sections below.



The CFIA launched the AEP in August 2008. This program authorizes private persons to sample seed lots certified pursuant to the Schemes, affix all OECD tags, and test these seed lots (purity and germination) and issue internationally recognized reports of seed analysis according to the ISTA Rules or the AOSA Rules. These activities were previously the sole responsibility of the CFIA; with the implementation of the AEP, however, exporters can choose whether to use private persons or CFIA officials for those activities.

As of September 1, 2017, the option for CFIA sampling in combination with private seed testing was added to the AEP on a regular and ongoing basis. The CFIA's authority to inspect, detain or investigate any OECD seed lot applies to activities and seed lots certified under the AEP.

The CFIA conducts an initial evaluation of candidate participants in the program to ensure they are competent to carry out the activities required for the AEP. Furthermore, the CFIA carries out monitoring and evaluation of AE facilities (AE Establishments and AE Laboratories) and their personnel to maintain confidence that the standards of the OECD and EU continue to be met and that the procedures prescribed by the AEP are being followed. The CFIA's official oversight of the AEP also includes a review of documentation and issuance of a Varietal Certificate for every seed lot certified under the AEP.

## **7.2 Application for Export**

The exporter must contact the CFIA local office to indicate that they require OECD certification of a seed lot. The exporter must indicate whether the seed lot will be sampled by an AE sampler (on site at the AE establishment) or by an official seed sampler.

The CFIA local office assigns a CDN number to the seed lot either individually on a lot by lot basis or by assigning a block of numbers issued to the AE Establishment.

The AE sampler/AE establishment provides copies of the OECD tags, sample submission forms, and other relevant documents (crop certificates, blend records, etc.) to the CFIA local office.

## **7.3 Sampling**

The seed lot is sampled by the AE sampler employed by the AE establishment or by an official seed sampler. In either case, when under the AEP, the sample is sent to an AE laboratory for seed testing.

### **7.3.1 Sampling by an AE Sampler at an AE Establishment**

The AE sampler verifies that the lot is eligible for certification pursuant to the Schemes. The seed lot is sampled by the AE sampler accordingly to ISTA Rules.

The sample submitted to the AE laboratory must be accompanied by the following:

- sample submission form for the AE laboratory to which the sample will be submitted (the AE sampler completes the sample submission form), and



- copies of the OECD tags.

The samples for VV and disease testing requires separate sample submission forms as this testing will be carried out by the CFIA, not the AE laboratory. The samples for VV and disease testing are sent either directly to the CFIA or via the AE laboratory.

### **7.3.2 Sampling by an Official Seed Sampler**

Seed lots are sampled as per SWI 132.1.1. Subsequently, samples are packaged and submitted to the AE laboratory as per the standard procedures outlined in SWI 132.1.1 and with the use of CFIA 1113 and LSTS forms.

The sample for VV testing requires a separate LSTS form as this testing will be carried out by the CFIA, not the AE laboratory. The sample for VV testing is sent either directly to the CFIA or via the AE laboratory.

The official seed sampler is not required to submit copies of the OECD tags to the AE laboratory.

## **7.4 Seed testing by the AE Laboratory**

The AE laboratory carries out the requested testing and issues the ISTA/AOSA report of analysis, as well as the EU grading report (if requested).

The original ISTA/AOSA report of analysis and the EU grading report (if applicable) are provided by the AE Laboratory to the AE establishment. Copies of the ISTA/AOSA report of analysis, EU grader report (if applicable), and the sample submission form are provided by the AE laboratory to the CFIA's SSTS.

The CFIA's SSTS reviews the documentation from the AE laboratory to verify if all requirements are met and forwards the documents and confirmation of the EU grading decision (if applicable) to the CFIA local office.

For seed that meets EU Rules and Standards, the statement 'Sampled and analysed according to ISTA Rules for orange certificates by 'name of AE Laboratory' must appear on the back of the OECD tag. Note that the AE laboratory is only carrying out the testing mentioned in the statement. An ISTA laboratory can accept samples for testing from ISTA samplers authorized by any other ISTA Lab and thus it is not necessary to be specific about the authority of the sampler. Further, there are space limitations on the OECD tag.

## **7.5 CFIA Local Office responsibilities**

The CFIA local office reviews all the documentation provided by the AE establishment and CFIA's SSTS in the same manner as if the certification was not under the AEP.





The CFIA local office issues a Varietal Certificate (CFIA 0006, or CFIA 0007 for EU Rules and Standards) if all the requirements for certification have been met.

## **7.6 NFC seed lots**

Seed testing (purity, germination, disease, moisture) is not required for OECD certification of an NFC seed lot under the AEP. Therefore, the applicable steps above for sampling, testing, and document review related to seed testing are not relevant for certification of an NFC seed lot. A sample for VV testing is required for NFC seed lot certification.

The CFIA local office issues the CFIA 0006 Varietal Certificate for OECD NFC lots.



## APPENDIX 1- Differentiation between the Canadian and OECD definitions of mixture and blend

	<b>Canadian definition</b>	<b>OECD definition</b>
<b>Mixture</b>	A combination of seed of two or more crop kinds or species.	A combination of seed of two or more varieties, crop kinds, or species.
<b>Blend</b>	<p>'Blend' is used in two different ways:</p> <p>A seed lot that contains two or more varieties of the same kind or species (i.e., Varietal Blend).</p> <p>A seed lot that contains two or more lots of pedigreed seed of one variety. (i.e., Blend)</p>	A seed lot that contains two or more lots of OECD Certified seed of the same generation (1 <sup>st</sup> or 2 <sup>nd</sup> ) of one variety.



## APPENDIX 2 - Equivalency of Canadian Pedigreed Status and OECD Eligibility

The table below shows the equivalency of Canadian pedigreed status with OECD eligibility for self-pollinated crop kinds (cereals, pulses, etc.):

Canadian Pedigreed Status on Crop Certificate	OECD Eligibility
Certified	Certified 1 <sup>st</sup> Generation*
Registered	Basic
Foundation	Pre-Basic - 2 Generations prior to Cert 1 <sup>st</sup> Gen
Select to produce Foundation	Pre-Basic - 3 Generations prior to Cert 1 <sup>st</sup> Gen
Select to produce Select	Pre-Basic - 4 Generations prior to Cert 1 <sup>st</sup> Gen
Breeder seed	Pre-Basic – Number of generations prior to Cert 1 <sup>st</sup> determined by the Breeder

The table below shows the equivalency of Canadian Pedigreed Status with OECD eligibility for cross-pollinated crop kinds (forages, canola, etc.):

Canadian Pedigreed Status on Crop Certificate	OECD Eligibility
Certified	Certified 1 <sup>st</sup> Generation*
Foundation	Basic
Breeder Seed	Pre-Basic – Number of generations prior to Cert 1 <sup>st</sup> determined by the Breeder

\*Note: The OECD permits the certification of Certified 2<sup>nd</sup> Generation seed (seed produced from Certified, 1<sup>st</sup> Generation status seed).