

Statutory Instrument 1993 No. 2009

The Fodder Plant Seeds Regulations 1993

© Crown Copyright 1993

The legislation contained on this web site is subject to Crown Copyright protection. It may be reproduced free of charge provided that it is reproduced accurately and that the source and copyright status of the material is made evident to users.

It should be noted that the right to reproduce the text of Statutory Instruments does not extend to the Royal Arms and the Queen's Printer imprints.

The text of this Internet version of the Statutory Instrument has been prepared to reflect the text as it was Made. The authoritative version is the Queen's Printer copy published by The Stationery Office Limited as the The Fodder Plant Seeds Regulations 1993, ISBN 011035009X. Purchase this item. For details of how to obtain an official copy see How to obtain The Stationery Office Limited titles.

To ensure fast access over slow connections, large documents have been segmented into "chunks". Where you see a "continue" button at the bottom of the page of text, this indicates that there is another chunk of text available.

STATUTORY INSTRUMENTS

1993 No. 2009

SEEDS

The Fodder Plant Seeds Regulations 1993

Made

11th August 1993

Laid before Parliament

11th August 1993

Coming into force

1st September 1993

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 16(1), (1A), (2), (3), (4), (5) and (8), 17(1), (2), (3), and (4) and 36 of the Plant Varieties and Seeds Act 1964[1] and now vested in them[2] and of all other powers enabling them in that behalf, after consultation in accordance with the said section 16(1) with representatives of such interests as appear to them to be concerned, hereby make the following Regulations:—

Title, extent and commencement

1. These Regulations may be cited as the Fodder Plant Seeds Regulations 1993, shall apply to Great Britain and shall come into force on 1st September 1993.

Revocation of previous regulations

2. The Fodder Plant Seeds Regulations 1985[3], the Fodder Plant Seeds (Amendment) Regulations 1987[4], the Fodder Plant Seeds (Amendment) Regulations 1989[5], the Fodder Plant Seeds (Amendment) Regulations 1990[6], the Fodder Plant Seeds (Amendment) Regulations 1991[7] and the Fodder Plant Seeds (Amendment) Regulations 1992[8] are hereby revoked.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires—
"the Act" means the Plant Varieties and Seeds Act 1964;

"Common Catalogue" means the Common Catalogue of varieties of kinds of agricultural plants published in the Official Journal of the European Communities;

"Higher Voluntary Standard" means the standards which—
(a) are higher than the minimum standards prescribed for Certified Seed, and
(b) are specified in Part II of Schedule 4,
being the standards and the level in respect of which an official certificate has been issued in accordance with Schedule 2;

"maintainer" means a person who is indicated in a National List or in the Common Catalogue as responsible for maintaining a plant variety in accordance with the characteristics to which regard was had when the plant variety was entered in the List or the Common Catalogue;

"marketing" includes the offer for sale, exposure for sale, and possession with a view to sale of seeds and any transaction in the course of business—

(a) under which the property in seeds is transferred from one person to another, or

(b) under which the seeds are made over by one person to another in pursuance of a contract under which the seeds

will be used for producing further seeds or for producing plants or parts of plants for human or animal consumption,
and "market" and "marketed" shall be construed accordingly;

"Member State" means, a Member State of the Community;

"the Minister" means, as respects England, the Minister of Agriculture, Fisheries and Food and, as respects Scotland or Wales, the Secretary of State and "the Ministers" means the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales acting jointly;

"National List" means a list of varieties of kinds of fodder plants for the time being published in accordance with the Seeds (National Lists of Varieties) Regulations 1982[9];

"official certificate" means a certificate issued by the Minister in accordance with Schedule 2 subject to the payment of any fees payable under seeds regulations and containing in respect of the seed to which it relates the particulars specified in Schedule 3 and "officially certified" shall be construed accordingly;

"official examination" means—
(a) an examination carried out by or on behalf of the Minister, subject to an application for such examination having been made to the Minister in such form and manner and at such time as the Minister may, at his discretion, require and to the payment of any fees payable under seeds regulations, or
(b) an examination carried out by or on behalf of the Department of Agriculture for Northern Ireland, or
(c) in relation to seeds produced elsewhere than in the United Kingdom, an examination approved by the Minister;

"official label" means a label issued or authorised by the Minister, subject to the payment of any fees payable under seeds regulations, and "official inner label" shall be construed accordingly;

"seed lot" means an identifiable consignment of seeds of a weight not exceeding that specified in Part II of Schedule 5, bearing a unique reference number in which the seeds shall have been so mixed or blended that, as far as is practicable, the seed lot shows no evidence of heterogeneity;

"seeds regulations" means regulations made under section 16 of the Act and for the time being in force;

"small package" means a package of seeds containing a net weight of not more than 15 kilograms of Pre-basic Seed, Basic Seed or a mixture of seeds for agricultural use;

"small EEC A package" means a package of seeds containing a net weight of not more than 2 kilograms of a mixture of seeds not intended for agricultural use;

"small EEC B package" means a package of seeds containing a net weight of not more than 10 kilograms of Certified Seed or Commercial Seed or, where the package is not a small EEC A package, a mixture of seeds not intended for agricultural use.

(2) A reference in these Regulations to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule bearing that number in these Regulations.

(3) In these Regulations—

"Breeder's Seed" means seeds of a generation earlier than that of Basic Seed—

(a) which have been produced by or under the responsibility of the maintainer carrying out in the United Kingdom the duties of a maintainer set out in regulation 19 of the Seeds (National Lists of Varieties) Regulations 1982,

(b) which are intended for the production of Pre-basic Seed, or with the written authority of the Minister, of Basic Seed, and

(c) which satisfy the requirements for Basic Seed set out in Schedule 4 and in respect of which an official certificate has been issued in accordance with Schedule 2;

"Pre-basic Seed" means seeds of a generation earlier than that of Basic Seed—

(a) which have been produced directly from Breeder's Seed or Pre-basic Seed by or under the responsibility of the maintainer,

(b) which are intended for the production of Pre-basic Seed, Basic Seed or, with the written authority of the maintainer and the Minister, of Certified Seed or Certified Seed of the First or Second Generations, and

(c) which satisfy the requirements for Basic Seed set out in Schedule 4 and in respect of which an official certificate has been issued in accordance with Schedule 2;

"Basic Seed" means seeds—

(a) which have been produced—

(i) by or under the responsibility of the maintainer from Pre-basic Seed or, with the written authority of the Minister, from Breeder's Seed, or

(ii) under the supervision of the Minister from seeds recognised by him to be of a local variety and grown within a particular clearly defined area,

(b) which are intended for the production of Certified Seed or Certified Seed of the First or Second Generations, and

(c) which satisfy the requirements for Basic Seed set out in Schedule 4 and in respect of which an official certificate has been issued in accordance with Schedule 2;

"Certified Seed" means seeds, other than of field peas or field beans, of the kinds set out in Schedule 1—

- (a) which have been produced directly from Basic Seed or, with the written authority of the maintainer and the Minister, from Pre-basic Seed,
- (b) which are intended for the production of plants, and
- (c) which satisfy the requirements for Certified Seed set out in Schedule 4 and in respect of which an official certificate has been issued in accordance with Schedule 2;

"Certified Seed of the First Generation" means seeds of field peas or field beans—

- (a) which have been produced directly from Basic Seed or, with the written authority of the maintainer and the Minister, from Pre-basic Seed,
- (b) which are intended for the production of Certified Seed of the Second Generation or for the production of plants, and
- (c) which satisfy the requirements for Certified Seed of the First Generation set out in Schedule 4 and in respect of which an official certificate has been issued in accordance with Schedule 2;

"Certified Seed of the Second Generation" means seeds of field peas or field beans—

- (a) which have been produced directly from Basic Seed, Certified Seed of the First Generation or, with the written authority of the maintainer and the Minister, from Pre-basic Seed,
- (b) which are intended for the production of plants, and
- (c) which satisfy the requirements for Certified Seed of the Second Generation set out in Schedule 4 and in respect of which an official certificate has been issued in accordance with Schedule 2;

"Commercial Seed" means seeds of the following kinds—

Grasses
Legumes
Annual meadowgrass
Sainfoin Hungarian vetch

- (a) which are identifiable as to their kind, and
- (b) which satisfy the requirements for Commercial Seed set out Schedule 4 and in respect of which an official certificate has been issued in accordance with Schedule 2.

(4) For the purposes of these Regulations, seeds marketed in accordance with regulation 5(1)(b)(ii) or (iii) below shall be

deemed to fall within the meaning of the appropriate category of seeds set out in paragraph (3) above.

Seeds to which the regulations apply

4.—(1) Subject to paragraphs (2) and (3) below, these Regulations apply to fodder plant seeds of the kinds set out in Schedule 1, being seeds intended to be used only for the production of agricultural crops or for amenity purposes.

(2) These Regulations shall not apply to—

(a) seeds which are marketed for delivery elsewhere than in a Member State,

(b) seeds used or to be used for research or experiment,

(c) seeds used or to be used in the course of a process of selection, and

(d) seeds which are marketed with a view to processing, treatments or cleaning,

where the identity of the seeds is stated by

the person by whom they are marketed.

(3) Where a person ("the first person") makes an arrangement under which some other person ("the second person") uses

seeds which are under the control of the first person for the purpose of—

(a) increasing the first person's stock of seeds for sowing, or

(b) carrying out tests or trials thereon,

and under that arrangement the whole of the material produced from the seeds (whether directly or indirectly) and any unused

seeds become or remain the property of the first person, these Regulations shall not apply to the marketing of the seeds by the first

person to the second person as part of that arrangement or to the marketing by the

second person to the first person of seeds

produced (directly or indirectly) from those seeds.

Marketing of seeds

5.—(1) Subject to the provisions of this regulation, no person shall market any seeds unless they are marketed in seed lots or in parts of seed lots and unless they are—

(a) Commercial seed, or

(b) seeds of plant varieties which may, for the time being, be marketed in accordance with regulation 31 of the Seeds

(National Lists of Varieties) Regulations 1982 and which are—

(i) Breeder's Seed, Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation or Certified

Seed of the Second Generation, or

(ii) seeds which have been produced and packaged in a Member State other than the United Kingdom, which have

been labelled appropriately in accordance with the requirements of regulation 9(1), (2), (3), (4), (5), (7), (8), (9),

(10), (11), and (13) and which

—in the case of a small package of seeds, a small EEC A package of seeds or a small EEC B package of seeds,

have been sealed in accordance with the requirements of regulation 8(3), or

—in the case of all other seeds, have been officially sealed in a Member State other than the United Kingdom, or

(iii) seeds which have been produced elsewhere than in a Member State and which are marketed in accordance

with, and subject to, the conditions imposed by a general licence granted by the Ministers under the authority of this

paragraph, which licence shall have effect during the period specified in it unless the Ministers earlier revoke it.

(2) Paragraph (1) above shall not prevent the marketing of—

(a) a mixture of kinds or varieties of seeds to which these Regulations apply, or

(b) a mixture of kinds or varieties of seeds to which these Regulations apply and any other seeds meeting the requirements

of the seeds regulations (if any) pertaining to those seeds,

but each constituent of such mixtures, to which these Regulations apply, shall consist of seeds meeting the requirements of

paragraph (1) above.

(3) The Minister may, by a general or specific licence which may impose conditions and which shall have effect during the

period specified in it unless the Minister earlier revokes it,—

(a) authorise any person to market as Breeder's Seed, Pre-Basic Seed, Basic Seed, Certified Seed, Certified Seed of the

First Generation, Certified Seed of the Second Generation, or Commercial Seed, seeds which fail in some respect to satisfy

the requirements for such seeds set out in Schedule 4, or Schedule 5 or to market seed under licence as Commercial Seed

where it is so indicated in Schedule 4 Part II,

(b) modify the labelling requirements set out in Schedule 6,

(c) authorise any person to market seeds which, notwithstanding the requirements of the Seeds (National Lists of Varieties)

Regulations 1982, are of a variety not entered in a National List or in the Common Catalogue,

(d) authorise any person to market seeds in respect of which an official certificate has not been issued in accordance with

paragraph 1 of Schedule 2,

(e) authorise any person to market seeds of any kind other than field peas or field beans as Certified Seed of the Second

Generation or seeds of any kind as Certified Seed of the Third Generation,

but in all other respects, unless expressly otherwise stated in the licence, the provisions of these Regulations shall apply in relation

to the marketing of the seeds.

(4) Any person may market to a person engaged in the business of trading in seeds, other than by way of retail sale, seeds

which have been imported from a country other than a Member State notwithstanding that such marketing would otherwise be

prohibited by virtue of paragraph (1)(b)(iii) above.

(5) Notwithstanding the requirement in Part II of Schedule 4 that Basic Seed shall attain the minimum standards of germination specified in the said Schedule any person may, subject to the requirements of regulation 9(3), market as Pre-basic Seed or Basic Seed, seeds which in other respects satisfy the requirements for Basic Seed set out in the said Schedule and in respect of which an official certificate has been issued in accordance with Schedule 2 but which attain a lower percentage of germination than that specified in Schedule 4 in relation to seeds of that kind.

(6) In a case where the official examination in respect of the germination of any seed lot has not been completed, but a preliminary test of germination has shown that the seeds attain the appropriate minimum standard of germination specified in Part II of Schedule 4 and the seeds in other respects satisfy the appropriate requirements of the said Schedule, the seed lot or any part of the seed lot, may, subject to the requirements of paragraph (8) below and regulations 8 and 9 be marketed. In the event of any such marketing the seller of the seeds shall, upon or before delivery, provide the purchaser with a written statement that the seeds are marketed before the completion of the official germination test together with the result of the preliminary test of germination. In the event of the official germination test showing the failure of the seeds to comply with the minimum germination standard required by paragraph 5 of Part II of Schedule 4 for seeds of that kind, the seller shall provide the purchaser with the result of the completed test, in writing, as soon as practicable and in any event not later than seven days after being informed of it.

(7) The provisions of paragraph (6) above shall not apply to the marketing of any seed lot or part of any seed lot in respect of which a previous official examination has shown that the seed fails to meet the standards set out for such seed in Part II of Schedule 4.

(8) A person who sells any seeds in accordance with paragraph (6) above shall make, and, during a period of twelve months following the delivery of the seeds, keep available for inspection by an officer of the Minister a record of the date of such delivery, of the reference number of the seed lot delivered, of the name and address of the purchaser, of the date on which the preliminary test of germination was carried out and of the result of that test, and if appropriate, of the date on which the purchaser was informed of the result of the completed official germination test.

(9) Paragraphs (5) and (6) above shall not apply to seeds which have been imported from a country other than a Member State unless they have been produced directly from Pre-Basic Seed, Basic Seed or Certified Seed of the First Generation produced in a Member State.

(10) Where seeds are sampled for the official examination referred to in paragraph 2(c) of Schedule 2 in a untreated state and are subsequently subjected to chemical treatment (b) which are intended for the production of plants.

(15) Seeds which have been produced and packaged in a Member State other than the United Kingdom, notwithstanding that they have not been officially certified as Certified Seed in that Member State, may be imported but shall not be marketed in the United Kingdom until they have been officially certified in the United Kingdom.

(16) Seeds which have been produced from Basic Seed, Certified Seed or Generations prior to Basic Seed which have been officially certified in the United Kingdom and which have undergone field inspections and satisfied the conditions for the appropriate category laid down in Part I of Schedule 4 may be marketed to Member States other than the United Kingdom notwithstanding that they have not been officially certified as Certified Seed. Such seed shall be packed and labelled with official labels and be accompanied by an official document complying with the conditions laid down in Schedule 6 Part IG and in accordance with the provisions laid down in regulations 8 and 9.

Official certificates

6.—(1) An application for the issue of an official certificate in respect of a seed lot of Breeder's Seed, Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation, or Commercial Seed—

(a) shall be made in writing to the Minister in such form and manner, and shall be accompanied by such documents, as the Minister may require, and

(b) shall be made—

(i) in respect of field peas and field beans not later than the fifteenth day of March of the second year following the year of harvest of the crop from which the seed lot is obtained, and

(ii) in respect of all other seeds not later than the thirty-first day of December of the year following the year of harvest

of the crop from which the seed lot is obtained,

or, in either case, within such other time as the Minister may allow.

(2) Where an application for the issue of an official certificate is made to the Minister in accordance with paragraph (1) above the Minister shall deal with the application in accordance with the provisions of Schedule 2.

(3) An official certificate which has been issued by the Minister may be withdrawn by him in respect of either the whole of a seed lot or any part of a seed lot and any seeds from which an official certificate has been so withdrawn shall be deemed not to

have been officially certified if—

(a) the results of an official examination of the seeds in respect of which the official certificate has been issued are declared

null and void in accordance with paragraph (2) of regulation 7, or

(b) information has been received by him which, if known to him before the official certificate was issued, would have

resulted in the application for its issue being refused on the grounds that the seeds did not meet the requirements of seeds regulations.

(4) Where, in accordance with paragraph (3) above, seeds are deemed not to have been officially certified the seller of the

seeds shall, as soon as practicable and in any case not later than 7 days after being informed of it, notify the purchaser, in writing,

that the seeds have not been officially certified.

Sampling

7.—(1) A sample of seeds taken for the purposes of an official examination shall be taken, subject to the payment of any fees

payable under seeds regulations, by a person authorised by the Minister in that behalf and in accordance with the requirements contained in Schedule 5.

(2) If a sample of seeds taken for the purposes of an official examination is found not to have been taken in accordance with the

requirements of seeds regulations no, or no further, official examination shall be made of that sample, and any findings or results

obtained in the course of any official examination of the sample of seeds already made shall be deemed null and void.

Sealing of packages

8.—(1) No person shall market in accordance with regulation 5(1)(b)(i) or (2) a package (other than a small package, a small

EEC A package or a small EEC B package) of Breeder's Seed, Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed of

the First Generation, Certified Seed of the Second Generation, Commercial Seed or a mixture of seeds unless it has been, not later

than at the time of sampling, sealed by or under the supervision of a person authorised by the Minister in that behalf in such a

manner that when the package is opened the sealing device will be broken and cannot be re-used.

(2) If a package of seeds which has been sealed in accordance with paragraph (1) above or imported in accordance with

regulation 5(1)(b)(ii) or (iii) shall have been opened it may not be re-sealed or further re-sealed except by or under the supervision

of a person authorised by the Minister in that behalf.

(3) No person shall market a small package, a small EEC A package or a small EEC B package in accordance with regulation

5(1)(b)(i) or (2) unless it has been sealed with a sealing device in such a manner that when the package is opened the sealing device is broken and cannot be re-used.

(4) If a small EEC A package or a small EEC B package which has been sealed in accordance with paragraph (3) above or imported in accordance with regulation 5(1)(b)(ii) shall have been opened it may not be re-sealed or further re-sealed except by or under the supervision of a person authorised by the Minister in that behalf.

Labelling of packages

9.—(1) Subject to paragraph (7) below, no person shall market any seeds in accordance with regulation 5(1)(a), (b)(i) or (2) except in a package which, not later than at the time of sealing, is labelled, inscribed or otherwise dealt with in accordance with this regulation.

(2) A package (other than a small package, a small EEC A package or a small EEC B package) of Breeder's Seed, Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation, Commercial Seed or a mixture of seeds shall have affixed on the outside an official label containing, as appropriate to the seeds, particulars of the matters specified, and being of at least the size and of the colour also specified in Part I of Schedule 6, which shall be either an adhesive label or a label secured to the package by a sealing device approved by the Minister and shall be affixed (in either case) by or under the supervision of a person authorised by the Minister in that behalf.

(3) If in accordance with regulation 5(5) a person shall market any Pre-basic Seed or Basic Seed of a lower percentage of germination than that specified in Schedule 4 the fact shall be stated on the official label or included in the particulars printed or stamped on the package in accordance with paragraph (6) of this regulation and a supplier's label affixed to the outside of the package shall contain a statement of the germination of the seeds together with the name and address of the seller and the reference number of the lot.

(4) A person who markets a package (other than a small package, a small EEC A package or a small EEC B package) containing a mixture of seeds shall, with the seeds or not later than 14 days after the sale or delivery (whichever is the later) of the seeds, give to the purchaser a statement in writing, on a label attached to the package, on the package itself or on an invoice or other document associated with the seeds, containing particulars of the further matters relating to the seeds to which these Regulations apply, specified in Part I F of Schedule 6.

(5) A package (other than a small package, a small EEC A package or a small EEC B package) of Breeder's Seed, Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation, Commercial Seed or a mixture of seeds shall contain an official inner label which shall be of the same colour as, and in addition to, the official label affixed to the outside of the package in accordance with paragraph (2) above. The official inner label shall contain particulars of the reference number of the lot and of the kind or, in the case of a mixture, of the proprietary name of the mixture or of the kinds of the constituents, and, in the case of Breeder's Seed, Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation of the variety and, in the case of Commercial Seed, of the matter specified in item 2 of Part I D of Schedule 6; except that if such particulars are printed indelibly on the outside of the package or if the official label is an adhesive or a tear-resistant label the official inner label referred to in this paragraph shall not be required.

(6) Notwithstanding paragraphs (2), (3) and (4) above, a package of field beans or field peas (other than a small package) of Basic Seed, Certified Seed, Certified Seed of the First Generation or Certified Seed of the Second Generation may be marketed if—

- (a) the appropriate particulars of the matters specified in Part I of Schedule 6 are printed or stamped indelibly on the package in a panel of at least the
- (b) the requirements of Part IV of that Schedule are satisfied.

(7) A small package of seeds shall have affixed on the outside a label containing, as appropriate to the seeds, particulars of the matters specified and being of the colour also specified in Part II of Schedule 6; except that if such particulars are printed indelibly on the outside of the package the said label shall not be required.

(8) A person who markets a small package containing a mixture of seeds for use for agricultural purposes shall, with the seeds or not later than 14 days after the sale or delivery (whichever is the later) of the seeds, give to the purchaser a statement in writing, on a label attached to the package, on the package itself or on an invoice or other document associated with the seeds, containing particulars of the matters relating to the seeds to which these Regulations apply specified in Part I F of Schedule 6.

(9) A small EEC A package and a small EEC B package, shall have affixed to the outside either a label, a printed notice or a stamp containing, as appropriate to the seeds, particulars of the matters specified in Part II of Schedule 6; except that if

the packaging material is transparent a label containing the said particulars may be placed inside the package in such a manner as to be clearly legible from the outside.

(10) If a package of seeds shall have been re-sealed in accordance with regulation 8(2) above this fact shall be stated on the official label, together with the month and year of re-sealing and the name of the authority responsible for the re-sealing.

(11) If any seeds have been subjected to any chemical treatment this fact and the nature of the treatment or the proprietary name of the chemical used in the treatment shall be stated either—
(a) on a separate supplier's label, or
(b) on the label referred to in paragraph (2), (3), (4), (7), (8) or (9) above or, where such a label is not required, with the particulars otherwise given in accordance with those paragraphs, and also, except where the label referred to in paragraph (2), (7), (8) or (9) above is not required or where the information prescribed by this paragraph is given on an adhesive or tear-resistant label, either on the outside of the package or in a statement enclosed in the package.

(12) A person may sell any seeds otherwise than in a package which is labelled, inscribed or otherwise dealt with in accordance with this regulation where—
(a) the seeds are sold by way of retail sale in a quantity not exceeding the appropriate maximum weight specified in Schedule 7, and
(b) the seeds are taken, in the presence of the purchaser, from a container on which there is clearly and visibly marked or near which there is clearly and visibly displayed a statement containing particulars of the matters specified in Part III of Schedule 6.

(13) The particulars and information given in accordance with this regulation shall be given in one of the official languages of the Community.

(14) Subject to the provisions of the Act and of these Regulations, no person shall, in the course of the marketing or the preparation for marketing of any seeds by himself or by any other person, wilfully reproduce, remove, alter, deface, conceal or misuse in any way any label affixed to, contained in or marked on any package of seeds or which is to be so affixed, contained or marked.

Civil liabilities of sellers of seeds

10.—(1) The particulars given to a purchaser by the seller of seeds to which these Regulations apply, whether given in pursuance of these Regulations expressly or by implication arising from the description under which the seeds are sold, shall

constitute a statutory warranty for the purpose of section 17 of the Act in so far as they relate to the category of the seeds,
the level of the seeds, the percentage germination of the seeds, the percentage analytical purity of the seeds, the content of
seeds of other plant species, and, as appropriate, the varietal identity and the varietal purity of the seeds or, in the case of a
mixture of seeds permitted by regulation 5(2), of each of its constituents to which these Regulations apply.

(2) Section 17(2) of the Act shall apply to any particulars given to a purchaser by the seller of seeds, being particulars
given or implied as in paragraph (1) above, in so far as they relate to the percentage germination, the percentage analytical
purity, or the content of seeds of other plant species and there are hereby prescribed in respect of such matters the limits of
variation set out in Schedule 8.

(3) Section 17(3) of the Act shall apply to any particulars given to a purchaser by the seller of seeds, being particulars
given or implied as in paragraph (1) above, in so far as they relate to the percentage germination, the percentage analytical
purity or the content of seeds of other plant species.

(4) A purchaser who intends to obtain a test of seeds for the purposes of section 17(3) of the Act shall, not more than
10 days after delivery to him of the seeds or of the particulars prescribed in regulation 9(4) or (7) (whichever is the later),
give to the seller written notice of his intention and thereupon the seller may indicate a day (not being more than 21 days
after the delivery of the seeds or of the said particulars, whichever is the later, to the purchaser) and a reasonable time on
that day at which a sample of the seeds may be taken in the presence of himself or his representative and the purchaser shall
afford to the seller reasonable facilities for that purpose.

(5) On the day and at the time appointed by the seller in accordance with paragraph (4) above or, if the seller shall have
failed to appoint such a day and time, on a day not more than 28 days after delivery of the seeds or of the said particulars
(whichever is the later) to the purchaser, the purchaser or his representative may, and if the seller or his representative is
present shall, take a sample of the seeds. Such sample shall be taken and divided by the purchaser or his representative into
two parts in accordance with the requirements contained in Part I of Schedule 5, each part being of at least the appropriate
minimum weight specified in Part II of Schedule 5, of which one part shall be sent to the Chief Officer of an official seed
testing station for the purpose of being tested and the other part delivered or tendered to the seller or his representative or, if

he or his representative was not present when the sample was taken, sent to him by post.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on
30th July 1993.

Gillian Shephard

Minister of Agriculture, Fisheries and Food

Hector Monro

Parliamentary Under Secretary of State, Scottish Office

11th August 1993

John Redwood

Secretary of State for Wales

29th July 1993

Notes:

[1] 1964 c. 14; section 16 was amended by the European Communities Act 1972 (c. 68), section 4(1) and paragraph 5(1), (2) and (3) of Schedule 4. See section 38(1) for a definition of "the Ministers". back

[2] In the case of the Secretary of State for Wales by virtue of S.I. 1978/272. back

[3] S.I. 1985/975. back

[4] S.I. 1987/1092. back

[5] S.I. 1989/1312. back

[6] S.I. 1990/1352. back

[7] S.I. 1991/1601. back

[8] S.I. 1992/1614. back

[9] S.I. 1982/844 amended by S.I. 1985/1529, 1989/1314, 1990/1353, 1992/1615.
back

SCHEDULE 1

Regulation 4(1)

KINDS OF SEEDS TO WHICH THE REGULATIONS APPLY

Latin Name	Common Name
(A) Gramineae(Grasses)	
Fine Grasses	
Agrostis caninaL.	Velvet bent
Agrostis giganteaRoth	Red top
Agrostis stoloniferaL.	Creeping bent
Agrostis capillarisL.	Brown top
Festuca ovinaL.	Sheep's fescue, including Fine-leaved fescue, Hard fescue
Festuca rubraL.	Red fescue, Chewings fescue
Festuca pratensis	Festulolium
Huds. × Lolium multiflorumLam.	
Poa annuaL.	Annual meadowgrass
Poa nemoralisL.	Wood meadowgrass
Poa pratensisL.	Smooth-stalked meadowgrass
Poa trivialisL.	Rough-stalked meadowgrass
Fodder Grasses	
Arrhenatherum elatius(L.)	Tall oatgrass
P. Beauv. ex J. S. et K. B. Presl Bromus catharticusVahl.	Rescue grass
Bromus sitchensisTrin.	Alaska brome-grass
Dactylis glomerataL.	Cocksfoot
Festuca arundinaceaShreber	

Festuca pratensisHudson	Tall fescue
Lolium multiflorumLam.	Meadow fescue
Lolium perenneL.	Italian ryegrass (including Westerwolds ryegrass)
Lolium × boucheanumKunth	Perennial ryegrass
Phleum bertoloniiDC.	Hybrid ryegrass
Phleum pratenseL.	Small timothy
	Timothy
(B) Leguminosae(Legumes)	
Small Seeded Legumes	
Lotus corniculatusL.	Birdsfoot trefoil
Medicago lupulinaL.	Trefoil, Black medick
Medicago sativaL.	Lucerne
Medicago × variaT. Martyn	Lucerne
Onobrychis viciifoliaScop.	Sainfoin
Trifolium hybridumL.	Alsike clover
Trifolium pratenseL.	Red clover
Large Seeded Legumes	
Trifolium repensL.	White clover
Lupinus albusL.	White lupin
Lupinus angustifoliusL.	Narrow-leaved lupin (Blue lupin)
Lupinus luteusL.	Yellow lupin
Pisum sativumL.(partim)	Field pea
Vicia fabaL.(partim)	Field bean
Vicia pannonicaCrantz	Hungarian vetch
Vicia sativaL.	Common vetch
Vicia villosaRoth	Hairy vetch
(C) Cruciferae(Crucifers)	

Brassica napusL. var.

Swede

napobrassica(L.) Rchb. Brassica oleraceaL.convar.

Fodder kale

acephala(DC.) Alef. var. thell. + var. viridisL.MedullosaRaphanus sativusL.
var.oleifarmisPers.

Fodder radish

SCHEDULE 2

Regulations 3(1) and (3), 5(3), (5) and (10) and 6(2)

OFFICIAL CERTIFICATES

1. On receipt of an application made in accordance with regulation 6(1) for the issue of an official certificate in respect of a
seed lot of Breeder's Seed, Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation, Certified Seed of
the Second Generation or Commercial Seed, the Minister shall, subject to paragraph 2 and 3 below and to the payment of any
fees payable under seeds regulations, issue in respect of such a seed lot an official certificate containing the particulars specified in
Schedule 3.
2. The Minister shall refuse to issue an official certificate in respect of a seed lot unless—
 - (a) an application has been made to the Minister, in such form and manner and at such time as he may require, for registration by him of—
 - (i) the seed lot or seed lots to be used for the production of the crop or crops from which the seed lot is to be obtained, and
 - (ii) the crop or crops from which the seed lot is to be obtained;
 - (b) an official examination of the crop or crops from which the seed lot was obtained shall have shown that the crop or
crops met the standards appropriate to the category and the level set out in Part I of Schedule 4; and
 - (c) an official examination of a sample of the seed lot shall have shown that the seeds met the standards appropriate to the
category and the level set out in Part II of Schedule 4;
except that—

(i) paragraphs 2(a) and (b) above shall not apply in relation to an application for the issue of an official certificate in respect of Commercial Seed;

(ii) paragraphs 2(a), (b) and (c) above shall not apply in relation to an application for the issue of an official certificate in respect of Breeder's Seed where the seeds have been officially sampled for the purposes of official examination of a plot in accordance with paragraph 1 of Part I of Schedule 4, and where the seeds met the requirements set out in paragraph 3 of Part II of Schedule 4,

(iii) paragraph 2(c) above, in so far as it relates to standards of germination set out in Part II of Schedule 4, shall not apply in relation to an application for the issue of an official certificate in respect of seeds which are marketed in accordance with and subject to the requirements of regulation 5(5), and

(iv) the Minister shall issue an official certificate in respect of a seed lot marketed in accordance with, and subject to any conditions imposed by, a general licence granted by the Minister under regulation 5(3).

3. The Minister may refuse to issue an official certificate in respect of a seed lot if it appears to him that—

(a) a sample of the seed lot taken for the purpose of an official examination in order to ascertain whether the seed lot meets the appropriate standards set out in Part II of Schedule 4 has not been taken in accordance with the requirements contained in Schedule 5;

(b) an official examination of a plot sown with a sample of the seed lot sown in the field shows that the crop does not meet the appropriate standards set out in Part I of Schedule 4;

(c) there has been any breach of seeds regulations in relation to the seed lot in respect of which application for an official certificate has been made.

SCHEDULE 3

Regulation 3(1)

PARTICULARS TO BE SPECIFIED IN AN OFFICIAL CERTIFICATE

(i) Name and Address of Certifying Authority

(ii) Applicant's name, address and registered number

(iii) Seed lot reference number

(iv) Kind/variety/category/level*

(v) Net weight of seed lot and number of containers

(vi) Seed treatment (if applicable)

*As appropriate.

SCHEDULE 4

Regulations 3(1) and (3), 5(3), (5), (6), (7) and (11), and 9(2), (3) and (4)

REQUIREMENTS FOR BASIC SEED, CERTIFIED SEED, CERTIFIED SEED OF THE FIRST AND SECOND GENERATIONS AND COMMERCIAL SEED

PART I

CONDITIONS RELATING TO CROPS FROM WHICH SEEDS OTHER THAN COMMERCIAL SEED ARE OBTAINED

1. So far as the Minister can ascertain them, by the use of methods which shall include official examination of the crop and which may, at such stages in the production of a variety as the Minister may require,
include examination of a plot sown with a sample from the seed lot sown in the field and the consideration of any other relevant information, the requirements for the crop set out below shall be met.

Varietal identity and varietal purity

2. The characteristics for the determination of varietal identity and varietal purity shall be those recognised as those of the variety for the purposes of the National List or the Common Catalogue.

Crop inspections

3. The crop shall be officially examined in such manner and at such times (when the cultural condition of the field and the stage of development and condition of the crop are such as to permit suitable checks
of varietal identity, varietal purity and species purity to be made) as the Minister may reasonably require.

Previous cropping

4. The crop may be grown only on land which has not previously been cropped in a manner which might adversely affect the nature or quality of the seeds to be produced and which complies with the
Minister's requirements in that respect.

Limitation of the number of harvest years

5. A crop to produce Pre-basic Seed, Basic Seed or Certified Seed of Italian ryegrass, and varieties of other kinds which are conducive to the establishment from shed seed of a high proportion of plants

which themselves produce seeds, shall not be used to produce a crop in the second harvest year unless:—

(a) Pre-basic Seed was produced in the first harvest year in which case Basic Seed may be produced, or

(b) Basic Seed was produced in the first harvest year and the seed sown to produce the crop were Pre-basic Seed in which case Certified Seed may be produced.

Isolation distances

6. There shall be a physical barrier or at least 2 metres of fallow between the seed crops and any crop likely to cause contamination in the seed.

7. Field pea crops grown for the production of Pre-basic Seed, Basic Seed, Certified Seed of the First Generation or Certified Seed of the Second Generation shall be isolated by 50 metres, throughout their

whole growing period, from all other pea crops not being grown for such production.

8. Throughout the period of flowering of the crop there shall be the following minimum distances from sources of undesirable pollen capable of fertilizing the crop:—

(a) Crucifers. Crops to produce—

Basic seed

400 metres

Certified Seed

200 metres

Crop Area
up to 2 hectares

over 2 hectares

(b) Field beans, Crops to produce—

Basic Seed and Certified Seed 1st generation

200m

100m

Certified Seed 2nd generation

100m

50m

(c) Other cross-fertilised species. Crops to product—

Basic Seed

200m

100m

Certified Seed

100m

50m

With the approval of the Minister these standards may be modified if there is adequate protection against undesirable pollen.

Standards for varietal purity

9. The crop shall have sufficient varietal identity and varietal purity. In particular the average level of the following impurities, by area or by number, as appropriate, shall not exceed—

IN CROPS TO PRODUCE

	Basic Seed	Certified Seed, Certified Second
Seed of the First and Generations		
(a) recognisable off-types of the same species in grasses and herbage legumes (including Italian or awned ryegrass in perennial ryegrass and perennial or awnless ryegrass in Italian ryegrass) other than smooth-stalked meadowgrass	1 plant in 10 sq m	1 plant in 50 sq m
(b) recognisable off-types of the same species in smooth-stalked meadowgrass other than apomictic uni-clonal varieties	4 plants in 10 sq m	1 plant in 20 sq m
(c) recognisable off-types of the same species in apomictic uni-clonal varieties of smooth-stalked meadowgrass	6 plants in 10 sq m	1 plant in 20 sq m
(d) recognisable off-types of the same species in field peas and field beans	1%	0.3%
(e) recognisable off-types of the same species in swede and fodder kale	1%	0.3%
(f) recognisable off-types of the same species in vetches, lupins and fodder radish		1 plant in 30 sq m
(g) plants (other than those classified as off-types) grown from shed seeds in grasses and herbage legumes		1% of seed heads in crop
(h) ryegrass in cocksfoot, meadow fescue, red fescue or tall fescue	No standard	1 plant in 50 sq m
(i) suckling clover (<i>Trifolium dubium</i> Sibth.) in white clover	1 plant in 10 sq m	1 plant in 50 sq m

1 plant in 10 sq m

PART II
CONDITIONS RELATING TO THE SEEDS

1. Basic Seed, Certified Seed and Certified Seed of the First and Second Generations shall possess the varietal identity and varietal purity specified in Part I; for apomictic uniclinal varieties of

smooth-stalked meadowgrass the minimum varietal purity shall be 99.7% for Basic Seed and 98% for Certified Seed.

2. For lucerne and red clover, Basic Seed and seeds entered for the Higher Voluntary Standard shall be effectively fumigated if stem eelworm (*Ditylenchus dipsaci*) is reported on official examination of the crop.

3. The seeds shall be of a satisfactory state of health in so far as seed-borne diseases and organisms affecting the seeds are concerned.

4. For each seed lot of Pre-basic Seed or Basic Seed of field beans, a minimum of 1,000 seeds and, for each seed lot of Certified Seed of the First Generation of field beans, a minimum of 500 seeds shall be officially examined for *Ascochyta fabae* and the level of infection shall not exceed 1 seed in 1,000 for Pre-basic Seed, 2 seeds in 1,000 for Basic Seed and 2 seeds in 500 for Certified Seed of the First Generation.

5. For each seed lot of Breeder's Seed, Pre-basic Seed, Basic Seed and Certified Seed of the First Generation of field peas 1 kg shall be officially examined from a submitted sample of 2 kg thereof for the presence of *Pseudomonas syringae* p.v. *psidi* infection and the level of infection therefrom found to be nil.

6. The seeds shall comply with the following standards:—

Kind	Minimum germination (% by number of pure seeds or pure pellets)(001)	Maximum hard seed content (% by number of pure seeds or pure pellets)	Minimum analytical purity (% by weight)	Maximum total
content of seeds of other plant species				

weight) (% by

All categories
 All categories
 All categories
 Basic seed
 Certified
 Seed, Certified
 Firststand
 Generations
 Commercial
 Seed
 Seed of the
 Second

(1) (2) (3) (4) (5) (6)

(7)
 (001) All fresh and healthy seeds which do not germinate after pre-treatment shall be considered as seeds which have germinated. back(002) Up to the maximum content indicated in column (3), hard seeds present shall be considered as seeds capable of germination. back(003) For Commercial Seeds 97%. back(004) No Commercial Seed except under licence. back(005) The Standard for Commercial Seed applies to the kinds of seed listed in the definition of commercial seed:—Regulation 3(3). Footnote 4 applies to the remaining kinds. back

Brown top

75 90 0.3 2.0

(004)

Red top

80 90 0.3 2.0

(004)

Other Agrostis spp

	75		90	0.3	2.0
3.0(004) Tall oatgrass	80		90	0.3	3.0
4.0(004) Rescue grass	75		97	0.4	1.5
(004) Alaska brome-grass	75		97	0.4	1.5
(004) Sheep's fescue	75		85	0.3	2.0
3.0(004) Poa spp. other than Poa pratensis	75		85	0.3	2.0
3.0(005) Birdsfoot trefoil	75(002)	40	95	0.3	1.8
2.8 Narrow-leaved lupin (Blue lupin)					

1.5	Other lupins	75(002)	20	98(003)	0.3	0.5
1.5(005)	Trefoil	80(002)	20	98(003)	0.3	0.5
2.5	Alsike clover	80(002)	20	97	0.3	1.5
2.5	Vetches	85(002)	20	98(003)	0.3	1.0
2.0(005)	Swede	80		98	0.3	1.0
(004)	Fodder kale	75		98	0.3	

Kind	Minimum germination (% by number of pure seeds or pure pellets)(006)	Maximum hard seed content (% by number of pure seeds or pure pellets)	Minimum analytical purity (% by weight)	Maximum species
(004) Fodder radish	80	97	0.3	1.0
(004) Field pea	80	98	0.3	1.0
(004) Field bean	85(002)	5	98	0.3
(004)				0.5

total content of seeds of other plant
(% by weight)

Basic Seed and Certified
Seed

Basic Seed and
Certified Seed

Basic Seed and
Certified Seed
(minimum
standard)

Certified Seed
 (Higher Voluntary
 Standard)
 Basic
 seed
 Certified

Seed
 (minimum
 standard)

Certified Seed
 (Higher Voluntary
 Standard)

(1) (2) (3) (4) (5) (6) (7)

(8)
 (006) All fresh and healthy seeds which do not germinate after pre-treatment shall be considered as seeds which have germinated. back(007) Up to the maximum content indicated in column (3), hard seeds present shall be considered as seeds capable of germination. back(008) Including Commercial Seed. back Perennial ryegrass

80 96 98 0.3 1.5

1.5
 Italian ryegrass

75 96 98 0.3 1.5

1.5
 Hybrid ryegrass

75

1.5	Cocksfoot	80	96	98	0.3	1.5
1.5	Timothy	80	90	90	0.3	1.5
1.5	Meadow fescue	80	96	98	0.3	1.5
1.5	Smooth-stalked meadowgrass	75	95	98	0.3	1.5
1.5	Red fescue	75	85	90	0.3	2.0
1.5	Festulolium	75	90	95	0.3	1.5
1.5			96	98		

1.5	Tall fescue	80		95	98	0.3	1.5
1.5	Red clover	80(007)	20	97	98	0.3	1.5
1.5	White clover	80(007)	40	97	98	0.3	1.5
1.5	Sainfoin	75(007) ,(008)	20(008)	95(008)	98	0.3	2.5(008)
1.5	Lucerne	80(007)	40	97	98	0.3	1.5
1.5							

7. The seeds shall also comply with the following standards where appropriate. Where number standards are indicated a sample of the size indicated in column 2 should be examined.

Kind	Weight of sample for determination of foreign seeds by number grams	Maximum permitted content of seed impurities (by
number or as a percentage by weight)		
Avena fatua A. ludoviciana and A.		
Sterilis (Wild Oat) or Cuscuta spp. (Dodder)		
Rumex spp. (Docks and Sorrels) excluding R. acetosella (Sheep's sorrel) and R. maritimus (Golden dock)		
Allopecurus myosuroides (Blackgrass)		
Agropyron repens (couch)		
Melilotus (Sweetclovers)		
Maximum content of any one other plant species		
	Other	
	Requirements	
	Basic	
	Seed	
	Certified Seed	
	Basic	
	Seed	
	Certified Seed	
	Basic Seed	
	Certified Seed	
	Basic Seed	
	Certified Seed	
	Basic Seed	
	Certified Seed	
	Basic Seed	

Certified

Seed

Minimum
Standard and
Higher
Voluntary
Standard

Minimum
Standard

Higher
Voluntary
Standard

Minimum
Standard

Higher
Voluntary
Standard

Minimum
Standard

Higher
Voluntary
Standard

Minimum
Standard
and
Higher
Voluntary
Standard

Minimum

Standard

Higher

Voluntary

Standard

No.

No.

No.

No.

No.

No.

%

No.

No.

%

No.

No.

	No.	%
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		
(8)		
(9)		
(10)		
(11)		
(12)		
(13)		
(14)		
(15)		
(16)		
(17)		
(18)		
(19)		

SCHEDULE 5

Regulations 3(1), 7(1) and (2) and 10(5)

**PART I
SAMPLING OF SEED LOTS**

1. A sample shall be obtained from the seed lot by taking primary samples at random from different positions in the lot and combining them to form a composite sample. The composite sample may be submitted for testing intact but if the composite sample is too large it may be reduced in weight by using an approved seed sample divider, to give the submitted sample.

Primary sample size

2. At each position of sampling of a seed lot, primary samples of approximately equal size shall be taken.

Condition of the Seed Lot

3. The seed lot to be sampled shall have been subject to appropriate mixing and blending techniques so that it is as uniform as practicable. There shall be no documentary or other evidence of heterogeneity. If a seed lot is presented for sampling in more than one container, the containers shall be of the same size and type and contain approximately the same weight of seed.

Sampling from Sacks

4. When the seed lot is in sacks or similar sized containers each containing more than 15 kg of seed and not more than 100 kg of seed, the minimum number of containers to be sampled shall be in accordance with the following table:—

Number of containers in the lot	Minimum number of containers to be sampled
1-5	Sample each container and always take at least five primary samples
6-30	Sample five containers or at least one in every three containers, whichever is the greater
31-400	Sample 10 containers or at least one in every 5 containers, whichever is the greater
401 or more	Sample 80 containers or at least one in every seven containers, whichever is the greater

5. The containers to be sampled shall be selected at random and primary samples drawn from the top, middle and the bottom of containers, but not necessarily from more than one position in any container. The position from which the seed is taken shall be varied from container to container.

Sampling from small containers

6. For sampling seed lots in containers holding 15 kg of seed or less, a 100 kg weight of seed shall be taken as the basic unit and the small containers shall be combined to form sampling units not exceeding this weight (eg 6 packages of 15 kg, 20 packages of 5 kg). For sampling purposes each unit shall be regarded as one container and the sampling procedures prescribed in paragraphs 4 and 5 above shall be used.

7. When seed is in moisture-proof containers the opened or pierced containers shall be adequately closed or the residues from sampling transferred to new containers. When seeds are in very small packets (100 g or less) each packet may be considered as a primary sample and sufficient shall be taken at random to obtain a submitted sample of the minimum size prescribed in Part II of this Schedule.

Sampling from large containers or seed in bulk

8. For the sampling of containers holding more than 100 kg of seed, and for the sampling of seed in bulk, primary samples shall be taken from different horizontal and vertical positions selected at random and the following shall be regarded as the minimum requirement:—

Lot weight

Number of primary samples to be taken

up to 500 kg

at least five primary samples

501-3000 kg

one primary sample for each 300 kg but not less than five

3001-20,000 kg

one primary sample for each 500 kg but not less than 10

Sampling from a seed stream

9. Samples may be drawn from a seed stream during processing using an automatic sampling device, which shall uniformly sample the entire cross-section of the seed stream when a sample is taken. Portions of seed shall be taken at regular intervals throughout the processing of the lot using the same sampling intensity as for seed in bulk (see paragraph 8 above).

Sampling Instruments

10. Sampling instruments shall be capable of sampling all parts of the seed lot. Where it is not practicable to use one of the instruments or methods described in this Schedule other instruments or methods may be used at the discretion of the Minister.

11. The instrument used for drawing primary samples shall be one of those described below as appropriate to the location of the seeds, or any other suitable instrument for the time being approved by the Minister.

(a)

Dynamic spear sampler This instrument may be used, in accordance with the methods described in paragraph 12(i) below, for sampling seeds in sacks or small containers. It shall be a hollow, cylindrical, solid-pointed metal spear or trier which shall be long enough to reach beyond the middle of the sack from the side and shall have an aperture so positioned that portions of seed of equal volume are removed from each part of the sack through which it travels.

Dimensions (mm)

Point

Shoulder

Boss

Aperture

Length

Aperture

Width
Bore
Outside
Diameter

(a)
(b)
(c)
(d)
(e)
(f)
(g)

For sampling:
All kinds other than field pea, field bean, lupins,
vetches, sainfoin (fruit), ryegrasses, festulolium,
cocksfoot, tall and meadow fescues and tall
outgrass.

42
7
8
20
8
10
12

All kinds other than field pea, field bean, lupins,
vetches.

85
12
10
33
11
13
15

All kinds.

82
12
13
40
15
17
19

Field pea and field bean.

78
15
15
40
18
20
22

(b)

Stick samplers These instruments shall have an aperture or apertures which shall be of sufficient size to allow the unrestricted entry of seeds or other particles and which shall be capable of being opened and closed during the sampling procedure as appropriate to the method of use described in paragraph 12(ii).

(i)

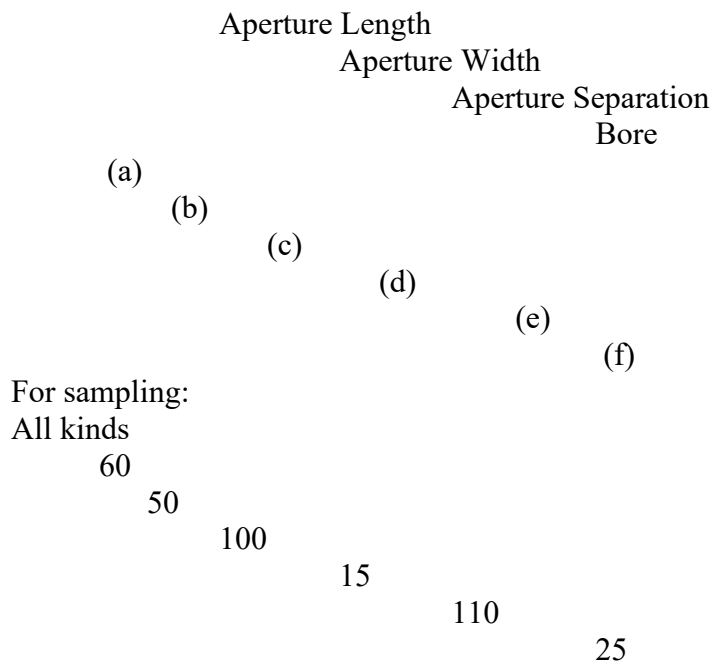
Single chamber type This instrument may be used for sampling seeds in open sacks, in large containers or in bulk.

Dimensions (mm)	Point	Shoulder	Sliding Sleeve	Aperture Length	Aperture Width	Bore
	(a)	(b)	(c)	(d)	(e)	(f)
For sampling: Seeds in sacks	55	25	75	50	22	25
Seeds in large containers or in bulk	100	390	63	50	22	30

(ii)

Multi-chamber type This instrument may be used to sample seeds in sacks or, subject to the requirements of paragraph 10 above, any other containers. The apertures shall open into chambers that shall be separated from one another by transverse partitions. The contents of each chamber shall be regarded as a primary sample.

Dimensions (mm)
Point
Shoulder



(c)

Cargo sampler This instrument shall only be used, in accordance with the method described in paragraph 12(c) below, for sampling seed in large containers or bulk and shall only be used in the vertical position.

(d)

Seed stream samplers Seed stream samplers shall uniformly sample the cross section of the seed stream without any loss of the seeds that enter the sampler, in accordance with the method described in paragraph 12(d) below. Timing devices shall be attached so that the frequency and duration of sampling can be adjusted to meet the requirements of paragraph 9.

Methods of Use

12. All instruments shall be clean before use. The methods of using these instruments shall be as follows:—

(a)

Dynamic spear sampler These samplers may be used in two ways as appropriate to their length.

Method 1 For instruments in which the aperture reaches only to the centre of the sack or small container)

The instrument shall be inserted into the sack in an upward direction at an angle of approximately 30° to the horizontal with its

aperture downwards until the aperture reaches the centre of the sack or container. The instrument shall be lightly tapped to remove

any seed taken in and then rotated to bring the aperture uppermost. It shall be withdrawn immediately with a vibratory or oscillatory

motion and at a decreasing speed so that the quantity of seed obtained from successive locations increases progressively from the

centre to the side of the sack. Seed passing through the instrument shall be collected in a clean container.

Method 2 (For instruments in which the aperture reaches to the far side of a sack or small container)

A longer instrument shall be inserted in the manner described in Method 1 above until its aperture reaches almost to the far side of the sack or container. It shall be tapped and rotated in the manner described above and then withdrawn at a uniform speed. Seed passing through the instrument shall be collected in a clean container.

(b)

Stick sampler

(i)

Single chamber type

- a. The sleeve shall move freely.
- b. The instrument shall be inserted vertically downwards till the aperture reaches the appropriate primary sampling position ensuring that the sleeve covers the aperture as it enters the seed.
- c. The instrument shall be withdrawn sufficiently to uncover the aperture.
- d. The instrument shall be left in position until the primary sample has been collected.
- e. The instrument shall be withdrawn and the contents emptied into a clean container.

(ii)

Multi-chamber type

- a. The apertures shall be closed before insertion.
- b. The instrument shall be inserted diagonally into sacks or vertically into large containers so that all apertures are fully covered.
- c. The apertures shall be opened.
- d. The instrument shall be agitated so that seed enters.
- e. The apertures shall be closed gently to ensure that trapped seed is not broken or damaged.
- f. The instrument shall be withdrawn and if the chambers are full the contents shall be emptied onto a clean surface or into a clean container.
- g. If all the chambers are not full, the contents shall be discarded and procedures a-f shall be repeated.

(c)

Cargo sampler

- a. The lid shall open and close easily.
- b. The instrument shall be inserted with the lid closed to the appropriate primary sampling position which shall be at least 300mm below the surface of the seed.
- c. The handle shall be raised sufficiently to open the lid.
- d. The instrument shall be left in position until the primary sample has been collected.
- e. The instrument shall be withdrawn and the contents shall be emptied into a clean container.

(d)

Seed stream samplers Such instruments shall be required to take the number of primary samples necessary for the weight of lot being sampled, the primary samples being taken from the lot at regular intervals and the resultant composite sample being of a weight

not less than that prescribed in Part II below and not greater than can conveniently be reduced by means of one of the methods of sample reduction described in paragraph 14 below. They shall be installed in such a way that the composite sample shall be readily identifiable with the seed lot from which it was taken.

Obtaining submitted sample-composite sample division instruments

13. Provided the composite sample is of at least the minimum weight prescribed in Part II below for a submitted sample for a particular kind of seed, it may be used as the submitted sample. Where the composite sample exceeds the weight prescribed for the submitted sample, any of the following instruments may be used to obtain the submitted sample. Other instruments and methods may be used at the discretion of the Minister.

(a)

Riffle DividerThe riffle divider shall consist of a rectangular hopper leading to a series of evenly spaced chutes, arranged so that seed is distributed equally on two sides. There shall be a minimum of 18 chutes, each discharging in the opposite direction to its immediate neighbour.

Three (or more) metal collecting vessels (pans) of sufficient depth to prevent seed bouncing out shall be used.

(b)

Centrifugal DividerThe centrifugal divider shall consist of a hopper from which seed flows on to a shallow cup which is then rotated by an electric motor. The seed shall be distributed by centrifugal force onto a stationary baffle which divides it into two equal parts which are then discharged through separate spouts.

Four metal collecting vessels (pans) of sufficient depth to prevent seed bouncing out shall be used.

Methods of Use

14. The methods of using these instruments shall be as follows:

(a)

Riffle Divider

a. The divider shall be placed on a firm level surface.

b. The divider and pans shall be clean.

Sample Mixing c. An empty pan shall be placed on each side of the divider to receive the discharge from the chutes.

d. The entire composite sample shall be poured evenly into the other pan(s).

e. The seed shall then be poured from the pan(s) evenly along the entire length of the hopper.

f. The two pans into which the seed has passed shall then be replaced with empty pans.

g. Procedures e. and f. shall then be repeated twice to mix the sample thoroughly.

Sample Reduction h. Before reduction, the composite sample shall have been thoroughly mixed using procedures c.-g. The

contents of one of the two receiving pans shall then be set aside. If the seed in the second pan is of at least the minimum weight

prescribed in Part II below for a submitted sample of a particular kind of seed, it may be used as the submitted sample. If the weight

of seed in the second pan is greater than the appropriate minimum weight prescribed in Part II below for a submitted sample, it may

be reduced using the following procedures (i.-k.).

i. An empty pan shall be placed on each side of the divider to receive the discharge from the chutes.

j. The contents of the second pan shall be poured evenly along the entire length of the hopper.

k. The contents of one of the two pans into which the seed has passed shall then be set aside. If the weight of seed in the other pan

is still greater than the appropriate minimum weight prescribed in Part II below for the submitted sample, it may be submitted intact

or it may be reduced further using procedures i.-k.

l. If the weight of seed in either of the two pans at either h. or k. is less than the appropriate minimum weight prescribed in Part II

below for a submitted sample, the following procedures (m.-g.) shall be used.

m. An empty pan shall be placed on each side of the divider to receive the discharge from the chutes.

n. The contents of one of the pans shall be set aside. The contents of the other pan shall be poured evenly along the entire length of the hopper.

o. One receiving pan and its contents shall then be removed and replaced with an empty pan. The other pan, with its contents, shall be left in place.

p. The contents of the pan removed at o. shall be poured evenly along the entire length of the hopper so that two subsamples of different weight shall be produced.

q. Procedures o. and p. above, when repeated, constitute the process of continuous halving, and shall be repeated using whichever

subsample is appropriate until sufficient seed is obtained in one pan, which when added to the seed set aside at n. produces a

submitted sample of at least the appropriate minimum weight prescribed in Part II below.

Obtaining more than one submitted sample r. Two submitted samples shall be obtained from a composite sample by first

obtaining a sample of at least twice the appropriate minimum weight prescribed in Part II below for a submitted sample, using

procedures c.-g., and h.-q. as appropriate, and then dividing it into two parts by passing it once through the divider.

s. When three submitted samples are required from one composite sample, one sample of at least the appropriate minimum weight

prescribed in Part II below for a submitted sample, shall be extracted using procedures c.-g. and h.-q. as appropriate. All portions

of seed which have been set aside shall then be recombined and the residue of the composite sample so obtained shall be subject to

the procedure at r. above.

(b)

Centrifugal Divider

- a. The divider shall be levelled prior to use.
- b. The divider and pans shall be clean.

Sample Mixing c. An empty pan shall be placed under each spout of the divider.

- d. The entire composite sample shall be poured into the centre of the hopper.
- e. The motor shall be operated so that the seed passes into the pans.
- f. The motor shall be switched off.
- g. The two pans containing seed shall be removed and replaced by empty ones.
- h. The contents of both pans removed at g. shall be poured together into the centre of the hopper, the seed being allowed to blend as it flows in. Procedures e., f. and g. shall be repeated.
- i. Procedure h. shall be repeated to mix the sample thoroughly.

Sample Reduction j. Before reduction, the composite sample shall have been thoroughly mixed using procedures c.-i. The contents

of one of the two receiving pans shall then be set aside. If the seed in the second pan is of least the minimum weight prescribed in

Part II below for a submitted sample of a particular kind of seed, it may be used as the submitted sample. If the weight of seed in the

second pan is greater than the appropriate minimum weight prescribed in Part II below or a submitted sample, it may be reduced

using the following procedures (k.-m.).

- k. Empty pans shall be placed under the spouts.
- l. The contents of the second pan shall be poured into the hopper and procedures e. and f. shall be repeated.
- m. The contents of one of two pans into which the seed has passed shall then be set aside. If the weight of seed in the other pan is still greater than the appropriate minimum weight prescribed in Part II below for a submitted sample, it may be submitted intact or it may be reduced further using procedures k.-m.
- n. If the weight of seed in either of the two pans at either j. or m. is less than the appropriate minimum weight prescribed for a submitted sample in Part II below, the following procedures (o.-s.) shall be used.
- o. Empty pans shall be placed under the spouts.
- p. The contents of one of the pans shall be set aside. The contents of the other pan shall be poured into the centre of the hopper and procedures e. and f. shall be repeated.
- q. One receiving pan and its contents shall then be removed and replaced with an empty pan. The other pan, with its contents, shall be left in place.
- r. The contents of the pan removed at q. shall be poured into the centre of the hopper and procedures e. and f. shall be repeated so that two subsamples of different weight shall be produced.
- s. Procedures q. and r. above, when repeated, constitute the process of continuous halving, and shall be repeated using whichever subsample is appropriate until sufficient seed is obtained in one pan, which when added to the seed set aside at p., produces a

submitted sample of at least the appropriate minimum weight prescribed in Part II below.

Obtaining more than one submitted sample t. Two submitted samples shall be obtained from a composite sample by first obtaining a sample of at least twice the appropriate minimum weight prescribed in Part II below for a submitted sample, using procedures c.-i., and j.-s. as appropriate, and then dividing it into two parts by passing it once through the divider.

u. When three submitted samples are required from one composite sample, one sample, of at least the appropriate minimum weight prescribed in Part II below for a submitted sample, shall be extracted using procedures c.-i., and j.-s. as appropriate. All portions of seed which have been set aside shall then be recombined and the residue of the composite sample so obtained shall be subject to procedure t. above.

PART II MAXIMUM WEIGHT OF A SEED LOT AND MINIMUM WEIGHT OF A SUBMITTED SAMPLE

The maximum weight of a seed lot and minimum weight of a submitted sample shall be as indicated below save that the maximum lot weights in paragraphs (a), (b), and (c) below may be exceeded by not more than 5%:—

(a) For the following kinds of seeds—

White lupin

Hungarian vetch

Field pea

Narrow-leaved lupin (Blue lupin)

Common vetch

Field bean

Yellow lupin

Hairy vetch

(i) the maximum weight of a lot shall be 20 tonnes

(ii) the minimum weight of a submitted sample shall be 1,000 g except that for white lupin, narrow-leaved lupin (blue lupin), yellow lupin, field pea and field bean the minimum weight shall be, for Breeder's Seed, Pre-basic Seed and Basic

Seed—3,000 g Certified Seed, Certified Seed 1st and 2nd Generations—2,000 g.

(b) For all other kinds of seeds the maximum weight of a lot shall be 10 tonnes and the minimum weight of a submitted sample shall be as stated:—

Kinds of seeds

	Minimum submitted sample weights (g)
Breeder's, Pre-basic and Basic Seed	

		All other Categories
Velvet bent	150	
		50
Red top	150	
		50
Creeping bent	150	
		50
Brown top	150	
		50
Tall oatgrass	300	
		200
Rescue grass	300	
		200
Alaska brome-grass	300	
		200
Cocksfoot	300	
		200
Fescues	300	
		200
Festulolium	200	
		200
Ryegrass	300	
		200
Timothy	200	
		100
Meadowgrasses	150	
		50
Birdsfoot trefoil	300	
		200
Trefoil	300	
		300
Lucerne	300	
		300
Sainfoin-fruit		

	600	600
Sainfoin-seed	400	400
Alsike clover	300	200
Red clover	300	300
White clover	300	200
Swede	300	200
Fodder Kale	300	200
Fodder radish	300	300

(c) The maximum weight of a seed lot of a mixture of seeds to which regulation 5(2) applies shall be 10 tonnes, except that, where more than 50% of the mixture consists of kinds of seeds for which the maximum seed lot weight prescribed in seeds regulations is 20 tonnes or more, the maximum weight of a mixture shall be 20 tonnes.

SCHEDULE 6

Regulations 5(3) and (16) and 9(2), (3), (4), (7), (8), (9) and (12)

FOR THE PURPOSES OF THESE REGULATIONS THE PARTICULARS PRESCRIBED IN THE SCHEDULE AS TO THE KIND AND VARIETY OF SEED SHALL BE INDICATED ON THE LABEL IN ROMAN CHARACTERS. THE KIND OF

SEED SHALL BE DESIGNATED BY ITS LATIN NAME, AS
PRESCRIBED IN SCHEDULE 1

PART I

A. Official Label for a Package of Breeder's Seed

(a) Prescribed contents

1. Certifying Authority
2. Reference number
3. Month and year when officially sealed
4. Kind
5. Variety
6. "Breeder's Seed"
7. Declared net or gross weight or declared number of seeds
8. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of seed and the total weight

(b) Minimum size of the label—110 mm × 67 mm

(c) The label shall be coloured violet.

B. Official Label for a Package of Pre-Basic Seed

(a) Prescribed contents

1. Certifying Authority and Member State or their mark
2. Reference number of lot
3. Month and year when officially sealed
4. Kind
5. Variety
6. "Pre-Basic Seed"
7. Country of production
8. Declared net or gross weight or declared number of seeds

9. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of seed and the total weight

10. Number of generations preceding seed of the categories "Certified Seed" or "Certified 1st Generation Seed"

(b) Minimum size of the label—110 mm × 67 mm

(c) The label shall be coloured white with a diagonal violet line.

C. Official Label for a Package of Basic Seed, Certified Seed or Certified Seed of the First and Second Generations

(a) Prescribed contents

1. "EEC rules and standards"

2. Certifying Authority and Member State or their mark

3. Reference number of the lot

4. Month and year when officially sealed

5. Kind

6. Variety

7. Category

8. Country of production

9. Declared net or gross weight or declared number of seeds

10. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of seed and the total weight

11. For Certified Seed of the Second Generation and subsequent generations from Basic Seed: number of generations from Basic Seed

12. For seeds of grass varieties, in respect of which no official examination of their value for cultivation and use has been carried out: "Not intended for fodder production"

(b) Minimum size of label—110 mm × 67 mm

(c) The label shall be coloured white for Basic Seed, blue for Certified Seed and Certified Seed of the First Generation and red for Certified Seed of the Second Generation.

D. Official Label for a Package of Commercial Seed

(a) Prescribed contents

1. "EEC rules and standards"
2. "Commercial Seed (not certified as to variety)"
3. Service responsible for sealing and Member State or their mark
4. Reference number of lot
5. Month and year when officially sealed
6. Kind (for lupins, it shall be stated whether they are bitter or sweet)
7. Country of production (or region of production within a country)
8. Declared net or gross weight or declared number of seeds
9. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of seed and the total weight

(b) Minimum size of the label—110 mm × 67 mm

(c) The label shall be coloured brown.

E. Official Label for a Package of a Mixture of Seeds

(a) Prescribed contents

1. "Seed mixture for"

(intended use)

2. Service responsible for sealing and Member State or their mark
3. Reference number of the lot
4. Month and year when officially sealed
5. Proprietary name of the mixture or kinds of the constituents
6. Declared net or gross weight or declared number of seeds

7. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of seed and the total weight.

(b) Minimum size of the label—110 mm × 67 mm

(c) The label shall be coloured green.

F. Further Particulars to be Given in Respect of a Mixture of Seeds—Other than a Mixture in a Small Package of Seeds not Intended for Use for Agricultural Purposes

For each constituent

1. Kind
2. Category
3. Variety (except for Commercial Seed)
4. Proportion by weight of the mixtures.

G. Official Label for a Package of Seed not Finally Certified
(a) Prescribed contents of the label

1. Certifying authority
 2. Kind
 3. Variety
 4. Category
 5. Crop Identity Number
 6. Declared net or gross weight (Tonnes)
 7. The words "seed not finally certified"
The label shall be coloured grey.
- (b) Information required for the document

1. Certifying authority
2. Kind
3. Variety
4. Category
5. See Lot Reference Number (UK) or Reference Number (other than UK) of the seed used to sow the field and name of the country or countries which certified that seed
6. Crop Identity Number
7. Area cultivated for the production of the lot covered by the document (Hectares)

8. Quantity of seed harvested and number of packages
9. Number of generations after basic seed, in the case of certified seed
10. Attestation that the conditions to be satisfied by the crop from which the seed comes have been fulfilled
11. Where appropriate, results of a preliminary seed analysis.

PART II

SMALL PACKAGES

A. Supplier's Label for a Small Package of Pre-Basic or Basic Seed

(a) Prescribed contents

1. "EEC rules and standards"
 2. Name and address of the supplier responsible for affixing the label or his identification mark
 3. Reference number of the lot
 4. Kind
 5. Variety
 6. Category
 7. Declared net or gross weight or declared number of seeds except in the case of packages not exceeding 15 grams net weight
 8. "Passed for marketing in the United Kingdom only"
- (b) The label shall be coloured white with a diagonal violet line for Pre-basic Seed and white for Basic Seed.

B. Supplier's Label for a Small Package of a Mixture of Seeds for Use for Agricultural Purposes

(a) Prescribed contents

1. "Seed mixture for agriculture use"
2. Name and address of person responsible for sealing package or his identification mark
3. Reference number of the lot
4. Proprietary name of the mixture or kinds of the constituents

5. Declared net weight
6. "Passed for marketing in the United Kingdom only"
 - (b) The label shall be coloured green.

C. Supplier's Label for a Small EEC 'A' Package of a Mixture of Seeds not Intended for Agricultural Purposes

(a) Prescribed contents

1. "Small EEC 'A' package"
2. Name and address of supplier responsible for affixing the label or his identification mark
3. Member State or its identification mark ie "packed in UK"
4. Reference number of the lot
5. "Seed mixture for"

(intended use)

6. Net or gross weight or declared number of seeds except in the case of packages not exceeding 15 grams net weight
7. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used the nature of the additive and the approximate ratio between the weight of seeds and the total weight
8. Proportion by weight of the various constituents shown by kinds and where appropriate by variety
9. "With ryegrass" or "without ryegrass"
 - (b) The label shall be coloured green.

D. Supplier's Label for a Small EEC 'B' Package of Certified or Commercial Seed Other Than a Mixture

(a) Prescribed contents

1. "Small EEC 'B' package"
2. Name and address of supplier responsible for affixing the label or his identification mark
3. Officially assigned serial number
4. Member State or its identification mark ie "packed in UK"

5. Reference number of the lot
6. Kind (for lupins, it shall be stated whether they are bitter or sweet)
7. Variety (if appropriate)
8. Category
9. Net or gross weight or number of seeds except in the case of packages not exceeding 15 grams net weight
10. Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used the nature of the additive and the approximate ratio between the weight of seeds and the total weight

(b) The label shall be coloured blue for Certified Seed and Certified Seed of the First Generation, red for Certified Seed of subsequent generations and brown for Commercial Seed.

E. Supplier's Label for a Small EEC 'B' Package of a Mixture of Seeds not Intended for Agricultural Purposes

(a) Prescribed contents

1. "Small EEC 'B' package"
2. Name and address of supplier responsible for affixing the label or his identification mark
3. Officially assigned serial number
4. Member State or its identification mark ie "packed in UK"
5. Reference number of the lot
6. "Seed mixture for"

(intended use)

7. Net or gross weight or declared number of seeds except in the case of packages not exceeding 15 grams net weight

8. where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used the nature of the additive and the approximate ratio between the weight of seeds and the total weight

9. Proportion by weight of the various constituents shown by kinds and where appropriate by variety

10. "With ryegrass" or "without ryegrass"

(b) The label should be coloured green.

PART III

A. Particulars to be Marked or Displayed on the Sale of Unpacketed Seeds Other Than Mixtures of Seeds

1. "Complies with legal standards"
2. Kind
3. Variety.

B. Particulars to be Marked or Displayed on the Sale of Unpacketed Mixtures of Seeds

1. Proprietary name of the mixtures or kinds and proportion by weight of the constituents
2. "Seed mixture for"
(intended use)
3. "With ryegrass" or "without ryegrass".

PART IV

PRINTING OF SPECIFIED MATTERS ON PACKAGES (whole-bag labelling)

A. Seeds which have not been imported

1. The printing or stamping of the packages shall be under the supervision, and in accordance with the instructions, of the Minister.
2. Each package shall have printed or stamped on it, or be perforated with, an individual serial number allocated by the Minister, which shall appear in the same panel as the particulars of the matters specified in Part II of this Schedule.
3. Arrangements shall be made with the printer for returns to be made to the Minister of the number of packages printed or stamped pursuant to regulation 9(6) and of the individual serial numbers of such packages.
4. The reference number of the seed lot and the month and year in which the package was officially sealed shall be printed or

stamped under the supervision of the Minister at the time of sampling for official examination.

5. Each package of seed marketed in accordance with regulation 5(5) shall be capable of having affixed to it a supplier's label containing a statement pursuant to regulation 9(3).

B. Seeds Imported from Another Member State

Such requirements of the Member State from which the seeds have been imported as correspond to the requirements specified in this Part for seeds which have not been imported shall have been satisfied.

SCHEDULE 7

Regulation 9(12)

MAXIMUM WEIGHT FOR RETAIL SALES OF UNPACKETED SEEDS

Velvet bent
Red top
Creeping bent
Brown top
Tall oatgrass
Cocksfoot
Tall fescue
Sheep's fescue, Fine-leaved
Sheep's fescue, Hard fescue
Meadow fescue
Red fescue, Chewings fescue
Italian ryegrass (including Westerwolds ryegrass)
Perennial ryegrass
Hybrid ryegrass
Timothy, Small timothy
Annual meadowgrass
Wood meadowgrass
Smooth-stalked meadowgrass
Rough-stalked meadowgrass
Birdsfoot trefoil
White lupin
Narrow-leaved lupin (Blue lupin)
Yellow lupin
Trefoil Black medick
Lucerne

Sainfoin	
Alsike clover	
Red clover	
White clover	
Hungarian vetch	
Common vetch	
Hairy vetch	
Swede	
Fodder kale	
Fodder radish	
	2 kg
Field pea	
Field bean	
	3 kg
Mixtures	
	7 kg

SCHEDULE 8

Regulation 10(2)

LIMITS OF VARIATION

GERMINATION	
Minimum percentage of germination	Limit of variation
per cent	per cent
99-100	2
97-98	3
94-96	4
91-93	5
87-90	6
82-86	7

76-81	8
69-75	9
65-68	10

ANALYTICAL PURITY-(a) grasses	
Minimum percentage of analytical purity per cent	Limit of variation per cent
99.9-100	0.2
99.7-99.8	0.4
99.5-99.6	0.5
99.3-99.4	0.6
99.0-99.2	0.7
98.8-98.9	0.8
98.3-98.7	0.9
98.0-98.2	1.0
97.5-97.9	1.1
97.0-97.4	1.2
96.5-96.9	1.3
96.0-96.4	1.4
95.0-95.9	1.5
94.0-94.9	1.6
93.0-93.9	1.7
92.0-92.9	1.9
91.0-91.9	2.0
90.0-90.9	2.1

88.0-89.9	2.2
86.0-87.9	2.4
84.0-85.9	2.5
82.0-83.9	2.6
80.0-81.9	2.8

ANALYTICAL PURITY-(b) legumes and crucifers

Minimum percentage of analytical purity
Limit of variation

per cent	per cent
99.9-100	0.2
99.8	0.3
99.6-99.7	0.4
99.3-99.5	0.5
99.0-99.2	0.6
98.5-98.9	0.7
98.3-98.4	0.8
97.5-98.2	0.9
97.0-97.4	1.0
96.5-96.9	1.1
95.5-96.4	1.2
95.0-95.4	1.3
94.0-94.9	1.4
93.0-93.9	1.5
92.0-92.9	1.6
91.0-91.9	1.7

90.0-90.9

1.8

CONTENT OF SEEDS OF OTHER SPECIES IN GRASSES

Maximum seeds per cent	Limit of variation per cent
0.0	0.2
0.1	0.3
0.2	0.4
0.3-0.4	0.5
0.5-0.6	0.6
0.7-0.9	0.7
1.0-1.2	0.8
1.3-1.7	0.9
1.8-1.9	1.0
2.0-2.4	1.1
2.5-2.9	1.2
3.0-3.4	1.3
3.5-3.9	1.4
4.0-4.9	1.5
5.0	1.6

CONTENT OF SEEDS OF OTHER SPECIES OR VARIETIES IN LEGUMES
AND CRUCIFERS

Maximum seeds per cent	Limit of variation per cent
0.0	

	0.1
0.1-0.2	0.3
0.3-0.4	0.4
0.5-0.6	0.5
0.7-0.9	0.6
1.0-1.4	0.7
1.5-1.7	0.8
1.8-2.4	0.9
2.5-2.9	1.0
3.0-3.4	1.1
3.5-4.4	1.2
4.5-4.9	1.3
5.0-5.9	1.4
6.0-6.9	1.5
7.0-7.9	1.6
8.0-8.9	1.7
9.0-9.9	1.8
10.0	1.9

NUMBER OF SEEDS OF OTHER SPECIES

Maximum number of seeds	Limit of variation
Number	Number
0	1
1	3
2	4
3-4	

	5
5-6	6
7-8	7
9-11	8
12-14	9
15-17	10
18-21	11
22-25	12
26-29	13
30-34	14
35-40	15
41-45	16
46-51	17
52-57	18
58-64	19
65-71	20
72-79	21
80-87	22
88-95	23
96-100	24

EXPLANATORY NOTE

(This note does not form part of the Regulations)

These Regulations consolidate, with amendments, the provisions of the Fodder Plant Seeds Regulations 1985 as amended.

The Regulations, which come into force on 1st September 1993, continue to restrict the marketing in Great Britain of seeds of fodder to specified categories meeting prescribed standards (regulations 3(3), 5(1) and Schedule 4), to require such seeds to be sold in sealed packages labelled or marked with prescribed particulars (regulations 8 and 9 and Schedule 6) and to make tampering with labels prescribed by regulations an offence (regulation 9(14)). The Regulations also continue to make provision for the taking of samples for the verification of standards (regulation 7 and Schedule 5) and provide that certain particulars stated or implied on a package of seeds are deemed to constitute a statutory warranty by the seller for the protection of the purchaser for the purpose of section 17 of the Plant Varieties and Seeds Act 1964 (regulation 10(1)).

The consolidation incorporates a provision, required under Council Directive 88/380/EEC (OJ No. L187, 16.7.88, p.31), and previously dealt with by a General Licence under Regulation 5(3)(d) of the 1985 Regulations. This relates to the marketing to other Member States of seed in respect of which an official certificate has not been issued (regulation 5(16) and Schedule 6 Part I G).

The Regulations implement Council Directive 66/401/EEC (OJ No. L125, 11.7.66, p.2298) (OJ/SE 1965-66 p.132) on the marketing of fodder plant seed as amended.