

EUROPEAN COMMUNITIES (CEREAL SEED) (AMENDMENT) REGULATIONS 1995

I, IVAN YATES, Minister for Agriculture, Food and Forestry, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Commission Directive No. 95/6/EC of 20 March, 1995,⁽¹⁾ hereby make the following Regulation:

REG 1

1. (1) These Regulations may be cited as the European Communities (Cereal Seed) (Amendment) Regulations, 1995, and shall come into operation on the 9th day of June, 1995.

(2) The collective citation "the European Communities (Cereal Seed) Regulations, 1981 to 1995" shall include these Regulations.

REG 2

2. In these Regulations—

"the Principal Regulations" mean the European Communities (Cereal Seed) Regulations, 1981 (S.I. No. 48 of 1981).

REG 3

3. Regulation 2 (4) of the Principal Regulations (which specifies the Directives, Act and Decisions which have amended Council Directive No. 66/402/EEC of 14 June 1966⁽²⁾) shall be construed as if there were included therein reference to Commission Directive No. 95/6/EC of 20 March, 1995.

REG 4

4. Annex I of the Schedule to the Principal Regulations is hereby amended:

(a) In paragraphs 2 and 3 the words "other than hybrids" are added after the words "Secale cereale".

(b) The following sub-paragraph is added after paragraph 3:

(1) O.J. No. L67, 25.3.1995, p.30.

(2) O.J. No. 125, 11.7.1966, p.2309.

"3a. Hybrids of rye.

(a) The crop shall conform to the following standards as regards distance from neighbouring sources of pollen which may result in undesirable foreign pollination.

Crop Minimum distance¹²—for the production of basic seed— —where male sterility is used 1000m —where male sterility is not used 600m— for the production of certified seed 500m

(b) The crop shall have sufficient identity and purity as

regards the characteristics of the components, including male sterility.

In particular, the crop shall conform to the following standards or other conditions:

(i) the number of plants or the crop species, which are recognisable as obviously not being true to the component shall not exceed,

— one per 30m² for the production of basic seed,

— one per 10cm² for the production of certified seed, this standard to apply in official field inspections to the female component only,

(ii) in the case of basic seed, where male sterility is used, the level of sterility of the male-sterile component shall be at least 98%.

(c) Where appropriate, certified seed shall be produced in mixed cultivation of a female male-sterile component with a male component which restores male fertility".

REG 5

5. Annex II of Schedule to the Principal Regulations is hereby amended:

(a) In paragraph 1 the words, "hybrid varieties of Sorghum spp. and Zea Mays" are replaced by the words "hybrid varieties of Secale Cereale, Sorghum spp. and Zea Mays".

(b) In paragraph 1 the following is added:

"C. Hybrids of rye

Seed shall not be certified as certified seed unless due account has been taken of the results of an official post-control test, on samples of basic seed taken officially and carried out during the growing season of the seed entered for certification as certified seed to ascertain whether the basic seed met the requirements for basic seed laid down in this Decision in respect of identity and purity as regards the characters of the components, including male sterility".

(c) Paragraph 3 is replaced by the following:

"3. Harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level.

In particular, the seed shall conform to the following standards in respect of *Claviceps purpurea* (maximum number of sclerotia or fragments of sclerotia in a sample of the weight specified in column 3 of Annex III).

Category	<i>Claviceps purpurea</i>	1	2	Cereals other than hybrid rye	1	—Basic seed	3	—Certified seed	Hybrids of rye	1	—Basic seed	—Certified seed	4(a)
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(a) The presence of five sclerotia or fragments of sclerotia in a sample of the prescribed weight shall be deemed to be in conformity with the standards, where a second sample of the same weight contains not more than four sclerotia or fragments of sclerotia".

GIVEN under my Official Seal, this 1st day of June, 1995.

IVAN YATES,

Minister for Agriculture, Food and
Forestry.

EXPLANATORY NOTE.

These Regulations, by amending existing regulations on the marketing of cereal seed, establish the conditions to be satisfied by the crop and the seed of hybrids of rye.