

**EUROPEAN COMMUNITIES (SEED OF OIL PLANTS AND FIBRE PLANTS)
REGULATIONS 1981**

I, RAY MacSHARRY, Minister for Agriculture in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), for the purpose of giving effect to Council Directive No. 69/208/EEC of 30 June, 1969, as amended, hereby make the following regulations:

REG 1

Short title and commencement.

1. These Regulations may be cited as the European Communities (Seed of Oil Plants and Fibre Plants) Regulations, 1981, and shall come into operation on the 1st day of February, 1981.

REG 2

2 Interpretation.

2. (1) In these Regulations—

"Annex I" means Annex I to the directive, which Annex is contained in the Schedule hereto;

"Annex II" means Annex II to the directive, which Annex is contained in the Schedule hereto;

"Annex III" means Annex III to the directive, which Annex is contained in the Schedule hereto;

"Annex IV" means Annex IV to the directive, which Annex is contained in the Schedule hereto;

"authorised officer" means an officer of the Minister authorised in writing by the Minister for the purpose of these Regulations;

"basic seed" means seed which,

(a) has been produced under the responsibility of the breeder according to accepted practices for the maintenance of the variety,

(b) is intended for the production of certified seed of any category,

(c) subject to Regulation 6 of these Regulations, satisfies the conditions laid down in Annex I and Annex II for basic seed, and

(d) has been found on official examination to have been so produced, to be so intended and to have satisfied the said conditions;

"certified seed", except in the expression "certified seed of the first generation", "certified seed of the second generation",

"certified seed of the third generation" and "certified seed of any category", means, except where the context otherwise requires seed of turnip rape or swede rape which,

(a) has been produced directly from pre-basic seed or basic seed,

(b) is intended for purposes other than the production of seed or oil plants or fibre plants,

(c) subject to Regulation 6 of these Regulations, satisfies the conditions laid down in Annex I and Annex II for certified seed, and

(d) has been found on official examination to have been so produced, to be so intended and to have satisfied the said conditions;

"certified seed of any category" means seed which is certified seed, certified seed of the first generation, certified seed of the second generation, or certified seed of the third generation;

"certified seed of the first generation" means seed of flax or linseed which,

(a) has been produced directly from pre-basic seed or basic seed,

(b) is intended either for,

(i) the production of certified seed of the second generation or of certified of the third generation, or

(ii) purposes, other than the production of seed of oil plants or fibre plants,

(c) subject to Regulation 6 of these Regulations, satisfies the conditions laid down in Annex I and Annex II for certified seed and

(d) has been found on official examination to have been so produced, to be so intended and to have satisfied the said conditions;

"certified seed of the second generation" means seed of flax or linseed which,

(a) has been produced directly from pre-basic seed, basic seed or certified seed of the first generation,

(b) is intended either for

(i) the production of certified seed of the third generation, or

(ii) purposes other than the production of seed of oil plants or fibre plants,

(c) subject to Regulation 6 of these Regulations, satisfies the conditions laid down in Annex I and Annex II for certified seed and

(d) has been found on official examination to have been so produced, to be so intended and to have satisfied the said conditions;

"certified seed of the third generation" means seed of flax or linseed which,

(a) has been produced directly from pre-basic seed, basic seed, certified seed of the first generation or certified seed of the second generation,

(b) is intended for purposes other than the production of seed of oil plants or fibre plants,

(c) subject to Regulation 6 of these Regulations, satisfies the conditions laid down in Annex I and Annex II for certified seed, and

(d) has been found on official examination to have been so produced, to be so intended and to have satisfied the said conditions;

"common catalogue" means the Common Catalogue of Varieties of Agricultural Plant Species published from time to time by the Commission of the European Communities in the Official Journal of the European Communities;

"the directive" means Council Directive No. 69/208/EEC of 30th June, 1969, as amended by the directives, act and decision specified in paragraph (2) of this Regulation;

"Member State" means a Member State of the European Communities;

"the Minister" means the Minister for Agriculture;

"national catalogue" means the National Catalogue of Agricultural Plant Varieties maintained by the Minister pursuant to and in accordance with Regulations made by him under the European Communities Act, 1972 (No. 27 of 1972);

"official", other than in the expression "official authority" or "official language", refers to any work or measure carried out by an official authority in connection with such work;

"official authority" means the authority officially designated by a Member State to carry out work in connection with the certification, examination, sampling or closing of seed of oil plants or fibre plants or any other work or measures relevant to the provisions of the directive or these Regulations, or any similar authority in a third country;

"oil plants and fibre plants" means any one or more or all of the plants of the following genera and species intended for agricultural production:

Brassica rapa L (Partim) Turnip rape
Brassica napus L. ssp. oleifera (Metzg.) Sinsk Swede rape
Linum usitatissimum L. Flax, linseed
and "oil plants" or "fibre plants" shall be construed accordingly, and in addition to the foregoing this definition shall not be construed as including oil and fibre plants intended for use for ornamental purposes;

"pre-basic seed" means seed of oil plants or fibre plants of generations prior to basic seed which,
10J No. L 169/3, 10 July, 1969

(a) has been produced under the responsibility of the breeder according to accepted practices for the maintenance of the variety,

(b) is intended for the production of pre-basic seed, basic seed or certified seed of any category,

(c) subject to Regulation 6 of these Regulations, satisfied the conditions laid down in Annex I and Annex II for basic seed, and

(d) has been found on official examination to have been so produced, to be so intended and to have satisfied the said conditions;

"statute" has the same meaning as in section 3 of the Interpretation Act, 1937 (No. 38 of 1937);

"third country" means a country or territory which is not a Member State

(2) The directives, act and decision referred to in paragraph (1) of this Regulation are Council Directive No. 71/162/EEC of 30th March, 1971, Council Directive No. 72/274/EEC of 20th July, 1972, Council Directive No. 72/418/EEC of 6th December, 1972, Act of Accession⁴ and Council Decision of 1st January, 1973, Council Directive No. 73/438/EEC of 11th December 1973, Council Directive No. 75/444/EEC of 26th June, 1975, Council Directive No. 78/55/EEC of 19 December, 1978, First Commission Directive No. 78/388/EEC of 18 April 1979, Council Directive No. 78/692/EEC of 25 July, 1978, Council Directive No. 78/1020/EEC of 5 December, 1978, Commission Directive No. 79/641/EEC of 27 June 1979, and Commission Directive No. 80/304/EEC of 25 February, 1980.

10J No. L87/24, 17 April, 1971

20J No. L 171/37, 29 July, 1972

30J No. L 287/22, 26 December, 1972

40J Special Edition, p.14, 27 March, 1972

5OJ No. L 2/1, 1 January, 1973
6OJ No. L 356/79, 27 December, 1973
7OJ No. L 196/6, 26 July, 1975
8OJ No. L 16/23, 20 January, 1978
9OJ No. L 113/20, 25 April, 1978
10OJ No. L 236/13, 26 August, 1978
11OJ No. L 350/27, 14 December, 1978
12OJ No. L 183/13, 19 July, 1979
13OJ No. L 68/33, 14 March, 1980

(3) A word or expression that is used in these Regulations and is also used in the directive has, unless the contrary intention appears, the meaning in these Regulations that it has in the directive.

REG 3

Application.

3. These Regulations apply to seed of oil plants and fibre plants other than such seed which is shown to the satisfaction of the Minister to be intended for export to a third country.

REG 4

Official Authority.

4. The Minister, or any person or body authorised by the Minister for the purpose, shall be the official authority for the State for the purposes of these Regulations and of the directive.

REG 5

Marketing and Sale.

5. (1) Subject to Regulation 6 of these Regulations and to paragraph (2) of this Regulation, seed of oil plants or fibre plants shall not be placed on the market unless—

- (a) the seed is a variety which is,
 - (i) a variety registered in the national catalogue, or
 - (ii) a variety registered in the common catalogue and as regards which there is not in that catalogue an entry indicating that a prohibition on the marketing of the variety in the State has been authorised and is in force, and
- (b) it has been officially certified as pre-basic seed, basic seed or certified seed of any category, and it satisfies the conditions laid down in Annex II, and
- (c) the seed is in sufficiently homogeneous lots and in packages complying with the requirements of these Regulations, and
- (d) in case the seed is harvested in a third country, it is of a kind to which the declaration contained in the Sixth Council Decision on the equivalence of Seed produced in third countries (OJ No L240 of 12 September 1980) relates.

(2) The requirements of paragraph (1) of this Regulation shall not apply to the following seed of oil plants and fibre plants, namely:

- (a) seed intended for tests or scientific purposes,
- (b) seed intended for selection work,
- (c) seed which has not been processed and which is marketed for processing, and as regards which the official authority is satisfied

that appropriate measures have been taken to ensure the identity of the seed.

REG 6

Derogation from Certification and Marketing Provisions.

6. (1) Subject to Regulation 10 of these Regulations, the Minister may authorise the certification and marketing of pre-basic seed and basic seed which does not satisfy the conditions laid down in Annex II in respect of germination; provided that the supplier of the seed guarantees a specific germination for the seed, which guaranteed germination shall be shown on a special label giving the name and address of the supplier and the reference number of the relevant lot of seed.

(2) (a) Subject to Regulation 10 of these Regulations and to sub-paragraph (b) of this paragraph, the Minister may, where the official examination in respect of germination pursuant to Annex II has not concluded, authorise the official certification of pre-basic seed, basic seed or certified seed of any category and the marketing of those categories of seed by way of trade as far as the first buyer.

(b) the powers conferred on the Minister by subparagraph (a) of this paragraph shall be exercised by the Minister subject to the following conditions:

(i) a provisional analytical report on the seed, which should include the germination of the seed, shall be sent to the official authority by the supplier of the seed,

(ii) the name and address of the first buyer shall be given to the official authority by such supplier,

(iii) such supplier shall furnish to such buyer a guarantee which satisfies the Minister of the germination given in the said provisional analytical report, and

(iv) the germination so guaranteed shall be stated on a special label bearing the name and address of such supplier and the reference number of the relevant lot of seed.

(3) The Minister may for such period as he shall specify authorise the marketing of seed of a variety which is not registered in the national catalogue but which is registered in a catalogue of a Member State which corresponds to the national catalogue.

(4) The Minister may, where the Commission makes a decision in that regard, authorise the marketing, for a period specified in the authorisation, of seed of a category specified in the decision subject to less stringent requirements, which shall be specified therein, than those of these Regulations for pre-basic seed, basic seed or certified seed, or of seed of varieties included neither in the common catalogue nor in any of the national catalogues of the Member State.

(5) The foregoing provisions of this Regulation, other than paragraph (4), shall not apply to seed imported from a third country unless such seed has been produced directly from pre-basic seed, basic seed, certified seed of the first generation or certified seed of the second generation and certified as such in the State.

REG 7

Closing.

7. (1) Packages of pre-basic seed, basic seed, certified seed or commercial seed shall be closed, either officially or under official supervision, in such a manner that they cannot be opened without either damaging the closing system or leaving evidence of tampering either on the official label provided in pursuance of Regulation 8(1) of these Regulations or on the package.

(2) Except where a non-reusable closing system is used, the closing system used to comply with this Regulation shall be at least comprised of either the above-mentioned label or the affixing of an official seal.

(3) Packages of pre-basic seed, basic seed or certified seed shall not be reclosed on one or more occasions unless this is done officially or under official supervision. If any such packages are reclosed the fact of reclosing, the date of reclosing and the authority by whom or under whose supervision the reclosing was carried out shall be stated on the label required under Regulations 8(1) of these Regulations.

REG 8

Labelling.

8. (1) The following provisions of this paragraph shall apply as regards packages of basic seed or certified seed:

(a) they shall be labelled on the outside with an official label (adhesive or otherwise) which has not previously been used and which gives the information and satisfies the conditions as to dimensions specified in Annex IV and on which such information is given in one of the official languages of the European Communities;

(b) the colour of the said label shall be white for basic seed, blue for certified seed of the first generation after basic seed and red for certified seed of the second or third generation;

(c) when a label with a stringhole is used, an official seal shall be used in relation to its attachment to the package;

(d) where the seed is seed to which an authorisation under Regulation 6(1) of these Regulations relates, the fact that the seed does not satisfy the conditions laid down in Annex II in respect of germination and the fact that it is seed to which such an authorisation relates shall both be stated on the label;

(e) they shall contain an official document, of the same colour as the said label, giving at least the information required under sub-paragraphs 4, 5 and 6 of paragraph (a) of Annex IV A;

(f) the aforesaid document shall be drawn up in such a manner that it cannot be confused with the official label referred to in paragraph (1) (a) of this Regulation.

(2) The requirements of subparagraphs (e) and (f) of paragraph (1) of this Regulation shall not apply to a package to which that paragraph applies if,

(a) the information mentioned therein is indelibly printed on the

package, or

(b) an adhesive label is used on the package, or

(c) a tear-resistant label is attached to the package.

(3) Paragraph (1) of this Regulation shall apply to pre-basic seed subject to the following modifications:

(a) the colour of the label shall be white with a violet diagonal line,

(b) the label shall,

(i) give the following information, namely, the species and variety of the seed, the official authority by whom the seed was certified and the Member State by which the authority is designated, the reference number of the relevant lot of seed and the number of generations preceding certified seed or certified seed of the first generation, the month and year of closing or the month and year of the last official sampling for the purposes of certification and

(ii) bear thereon the words "pre-basic seed".

(4) Where pre-basic seed, basic seed or certified seed of any category has been chemically treated, this fact shall be indicated either on the official label or on a supplier's label and also on the package containing the seed or inside such package.

(5) When the Minister gives an authorisation under Regulation 6 (4) of these Regulations, the official label of any package of seed which is seed to which the authorisation relates shall be,

(i) in case the seed corresponds to pre-basic seed, basic seed or certified seed of any category, of the colour which under these Regulations is appropriate for the seed to which it corresponds.

(ii) in case it does not so correspond, brown, and in addition to the foregoing such label shall indicate that the marketing of the seed is subject to requirements which are less stringent than those otherwise required by these Regulations.

REG 9

Sampling.

9. (1) In the official examination of seed of oil plants and fibre plants for certification, samples shall be officially drawn both from sufficiently homogeneous lots and in accordance with the International Rules or Seed Testing published by the International Seed Testing Association and the maximum weight of a lot of seed and the minimum weight of a sample shall be as laid down in Annex III.

(2) Where an authorised officer takes a sample of seed pursuant to these Regulations, the provisions of paragraph (1) of this Regulation shall apply as regards the minimum weight of the sample and the sample shall be drawn in accordance with the Rules mentioned in that paragraph.

REG 10

Seed of oil plants and fibre plants marketed in small quantities to the final consumer.

10. Notwithstanding the non-compliance with a requirement of these Regulations as to packaging, closing or labelling, seed of oil plants and fibre plants may be marketed at the retail stage to the final consumer in quantities not exceeding 10 kg if, but only if, the seed is taken, in the presence of the purchaser, from the

package, in which it was packed under official supervision and such package is, when the seed is taken from it labelled in accordance with these Regulations.

REG 11

Registration etc.

11. (1) Notwithstanding Regulation 18 of these Regulations, the register which immediately before the commencement of that Regulation was known as the Register of Processors and Importers of Seed of Oil Plants and Fibre Plants shall continue in being and shall continue to be maintained by the Minister but shall henceforth be known as the Register of Processors, Importers and Packers of Seed of Oil Plants and Fibre Plants (which register is in these Regulations referred to as "the register").

(2) (a) A person shall not carry on the business of a seed processor, a seed importer or a seed packer unless he is entered in the register as such.

(b) Subparagraph (a) of this paragraph shall come into effect on the 1st day of April, 1981, as regards persons carrying on the business of a seed packer,

(3) There shall be entered in the register the following particulars, namely:

(a) the full name, address and description of the person registered therein,

(b) in case a person is registered therein as a seed processor or a seed packer, a description of the premises in which such person carries on the business of seed processing, which description shall be sufficient to identify those premises and the limits and extent thereof and also the place where the relevant seed of oil plants and fibre plants or of either of them is stored, and

(c) such other particulars as the Minister, in the circumstances of any particular case, considers relevant.

(4) Any change in the name or address of a person registered in the register shall be notified by him to the Minister.

(5) On the application, in such form and containing such particulars as the Minister may direct, by or on behalf of a person who proposes to carry on the business of a seed processor, seed importer or a seed packer the Minister may register the person in the register as such.

(6) Before the Minister registers any person under paragraph (5) of this Regulation the Minister shall be satisfied that there are available to the person such premises and facilities as are adequate to enable the person to carry on the business to which the application relates.

(7) Whenever the Minister proposes to refuse an application for registration in the register he shall, before doing so, notify in writing the applicant for registration of his intention and of the reasons therefor, and, if any representations are made to the Minister by the applicant within seven days after the giving of the notification, the Minister shall consider them.

(8) In this Regulation—

"seed importer" means a person who imports seed of oil plants or fibre plants in any quantity exceeding 2 kg and "importer" shall be construed accordingly;

"seed processor" means a person who assembles, dries, cleans, treats, mixes or otherwise processes seed of oil plants or fibre plants which is intended for sale and "seed processing" shall be construed accordingly;

"seed packer" means a person who in the course of business packs certified seed in packages the net weight of which does not exceed 10 kg excluding, where appropriate, granulated pesticides, pelleting substances or other solid additives.

REG 12

Records, returns etc.

12. (1) Any person who carries on the business of processing, packing or marketing seed of oil plants or fibre plants (including the importation and storage of such seed) shall,

- (a) keep records of his transactions in such seed,
- (b) produce at the request of an authorised officer any such records or any books, documents or other records relating to the said business which are in the possession of or under the control of such person,
- (c) permit any such officer to inspect and take extracts from such books, documents or records and give to the officer any information which he may reasonably require in relation to any entries therein,
- (d) afford to any such officer reasonable facilities for inspecting the stock of any such seed on any premises on which such person carries on such a business,
- (e) give to an authorised officer any information he may reasonably require in relation to such transactions including in particular information which he may reasonably require regarding any seed of oil plants or fibre plants specified by him, whether imported from other Member States or from third countries.

(2) A person who imports (whether from another Member State or from a third country) a quantity of seed of oil plants or fibre plants exceeding 2 kg shall, at the time of importation, furnish to the Minister in writing the following particulars regarding the seed, namely, the species, variety, category, county of production, name of the relevant official authority, country of dispatch and quantity of the seed.

REG 13

Powers of authorised officers.

13. (1) In addition to the powers conferred by Regulation 12 of these Regulations, an authorised officer may at any reasonable time enter and inspect any premises in which he has reasonable grounds for believing that the business of processing, packing or marketing, or of importing or exporting, seed or oil plants and fibre plants (or either of such plants) is carried on, or any other premises in which he so believes such seed to be kept, being seed which he so believes to have been landed or otherwise brought into the State, or any railway wagon, vehicle, ship, vessel or aircraft in which he so believes such seed to be kept, and any such officer may examine the stock and take samples of any seed of oil plants or fibre plants which he finds in the course of his inspection.

- (2) Where a sample is taken pursuant to this Regulation, the authorised officer concerned shall—
- (a) notify forthwith the appropriate person that the sample is so taken, and
 - (b) if so required by the appropriate person at the time of giving of the notification, take a second sample, which shall be like the sample already so taken, and mark and leave it with the appropriate person,
- and in case a second sample is left pursuant to a requirement under this Regulation, the person making the requirement may cause the sample to be tested, examined or analysed.
- (3) Any person who obstructs or interferes with an authorised officer in the course of exercising a power conferred on him under this Regulation shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.
- (4) The Minister shall furnish an authorised officer with a certificate of his appointment and, when exercising any powers conferred by these Regulations, the officer shall, if requested by any person affected, produce the certificate to that person.
- (5) In this Regulation—
- "the appropriate person" means,
- (a) in relation to premises, any person who appears to an authorised officer to be, for the time being, in charge of the premises,
 - (b) in relation to a railway wagon, vehicle, ship, vessel or aircraft, the owner thereof or person who is for the time being in charge thereof or the agent of such owner.

REG 14

Ministers may require certain seed to be disposed of.

14. (1) Where a sample of seed is taken pursuant to these Regulations by an authorised officer and is found on official examination not to comply with a requirement of these Regulations, then the Minister may require that the seed shall be destroyed or otherwise disposed of in such manner as the Minister shall determine.
- (2) In case the Minister makes a requirement under this Regulation the following provisions shall apply:
- (a) he shall inform in writing of the requirement the person who is in possession or control of the seed to which the requirement relates,
 - (b) where such person is so informed, pending the disposal of such seed in accordance with the requirement, the seed shall be moved only with the consent of an authorised officer, and
 - (c) such person shall dispose of the seed, or cause or permit it to be disposed of, only in accordance with the requirement.

REG 15

15 Prosecution of Offences.

15. An offence under these Regulations may be prosecuted by the Minister.

REG 16

Penalty.

16. A person who contravenes these Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £400 or, at the discretion of the Court, to imprisonment for a term not exceeding six months.

REG 17

Saver.

17. Nothing in these Regulations shall be construed as affecting a provisions of any statute, whether passed before or after the making of these Regulations, which is a provision for the protection of human life or health, animal life or health, plant life or health, or industrial or commercial property.

REG 18

Revocation.

18. The European Communities (Seed of Oil Plants and Fibre Plants) Regulations, 1976 (S.I. No. 229 of 1976), are hereby revoked.

SCHEDULE

Annex I

CONDITIONS TO BE SATISFIED BY THE CROP

1. The previous cropping of the field shall not have been incompatible with the production of seeds of the species and variety of the crop, and the field shall be sufficiently free from such plants which are volunteers from previous cropping.
2. The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination:

CropMinimum

distance12Brassica spp. other than Brassica napus oleifera; Cannabis sativa other than monoecius hemp; Carum carvi; Gossypium spp; Helianthus annuus; Sinapis alba:—for the production of basic seed400m—for the production of certified seed200mBrassica napus ssp. oleifera:—for the production of basic seed200m—for the production of certified seed100mCannabis sativa, monoecius hemp:—for the production of basic seed5,000m—for the production of certified seed1,000m
These distances can be disregarded if there is sufficient protection from any undesirable foreign pollination.

3. The crop shall have sufficient varietal identity and varietal purity.

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

5. The satisfaction of the above-mentioned standards or other conditions shall be examined in official field inspections.

These field inspections shall be carried out in accordance with the following conditions:

A. The condition and the stage of development of the crop shall permit an adequate examination.

B. There shall be at least one field inspection.

C. The size, the number and the distribution of the portions of the field to be inspected in order to examine the satisfaction of the provisions of this Annex shall be determined in accordance with appropriate methods.

Annex II

CONDITIONS TO BE SATISFIED BY THE SEED

I. BASIC AND CERTIFIED SEED

1. The seed shall have sufficient varietal identity and varietal purity.

2. The seed shall conform to the following standards or other positions as regards germination, analytical purity and content of seeds of other plant species including *Orobanche* spp:

A. Table:

Species and category	Minimum germination (% of pure seed)	Analytical purity	Maximum content by number of seeds of other plant species in a sample of the weight specified in column 4 of Annex III (total per column.)	Conditions as regards content of <i>Orobanche</i> seeds	Minimum analytical purity (% by weight)	Maximum content seed of other plant species (% by weight)
<i>Avena fatua</i> , <i>Avena ludoviciana</i> , <i>Avena sterilis</i>	70	99	0.3	0.3	0.3	0.3
<i>Cuscuta</i> spp.	90	99	0.3	0.3	0.3	0.3
<i>Rumex</i> spp. other than <i>Rumex acetosella</i>	90	99	0.3	0.3	0.3	0.3
<i>Alopecurus myosuroides</i>	90	99	0.3	0.3	0.3	0.3
<i>Lolium renotum</i>	90	99	0.3	0.3	0.3	0.3
<i>Arachis hypogaea</i>	70	99	0.3	0.3	0.3	0.3
<i>Brassica</i> spp.: basic seed	85	99	0.3	0.3	0.3	0.3
<i>Cannabis sativa</i>	75	99	0.3	0.3	0.3	0.3
<i>Carum carvi</i>	70	99	0.3	0.3	0.3	0.3
<i>Gossypium</i> spp.	80	99	0.3	0.3	0.3	0.3
<i>Helianthus annuus</i>	85	99	0.3	0.3	0.3	0.3
<i>Linum usitatissimum</i>	92	99	0.3	0.3	0.3	0.3
flax	92	99	0.3	0.3	0.3	0.3
linseed	85	99	0.3	0.3	0.3	0.3
<i>Papaver somniferum</i>	80	99	0.3	0.3	0.3	0.3
<i>Sinapis alba</i> : — basic seed	85	99	0.3	0.3	0.3	0.3
(d)105— certified seed	85	99	0.3	0.3	0.3	0.3
<i>Glycine max.</i>	80	99	0.3	0.3	0.3	0.3

B. Standard or other conditions applicable where reference is made to them in the table under Section I (2) (A) of this Annex:

(a) the maximum contents of seeds laid down in column 5 include also the seeds of the species in columns 6 to 11.

(b) The determination of total content of seeds of other plants species by number need not be carried out unless there is doubt whether the conditions laid down in column 5 have been satisfied.

(c) The determination of seeds of *Cuscuta* spp. by number need not be carried out unless there is doubt whether the conditions laid down in column 7 have been satisfied.

(d) The presence of one seed of *Cuscuta* spp. in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of the same weight is free from any seeds of *Cuscuta* spp.

(e) The seed shall be free from *Orobanche* spp; however the

presence of one seed of *Orobanche* spp. in a sample of 100 grams shall not be regarded as an impurity where a second sample of 200 grams is free from any seeds of *Orobanche* spp.

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 or other conditions:

A. Table:

Harmful organisms Species Maximum percentage by number of seeds contaminated by harmful organisms (total per column)

Sclerotinia sclerotiorum (Maximum number of sclerotia or fragments of sclerotia in a sample of the weight specified in column 4 of Annex III) *Botrytis* spp. *Alternaria* spp. *Ascochyta linicola* (syn. *Phoma linicola*), *Colletotrichum lini*, *Fusarium* spp. *Platyedra gossypiella* 12345 *Brassica napus* spp. *olerifera* 10 (b) *Brassica rapa* 5 (b) *Cannabis sativa* 5 *Gossypium* spp. 1 *Helianthus annuus* 5 10 (b) *Linum usitatissimum* 5 5 (a) *Sinapis alba* 5 (b)

B. Standards or other conditions applicable where reference is made to them in table under Section I (3) (A) of this Annex:

(a) In flax the maximum percentage by number of seeds contaminated by *Ascochyta linicola* (syn. *Phoma linicola*) shall not exceed 1%.

(b) The determination of sclerotia or fragments of sclerotia of *Sclerotinia sclerotiorum* by number need not be carried out unless there is doubt whether the conditions laid down in column 5 of this table have been satisfied.

II. COMMERCIAL SEED

With the exception of Section 1, the conditions laid down in Annex II (I) shall apply to commercial seed.

Annex III

LOT AND SAMPLE WEIGHTS

Species Maximum weight of a lot (tonnes) Minimum weight of a sample to be drawn from a lot (grams) Weight of the sample for the determinations by number provided for in columns 5 to 11 of Annex II (1) (2) (A) and in column 5 of Annex II (1) (3) (A) (grams) 1234 *Arachis hypogaea* 201,000 1,000 *Brassica rapa* 1020070 *Brassica juncea* 1010040 *Brassica napus* spp. *oleifera* 10200100 *Brassica nigra* 1010040 *Cannabis sativa* 10600600 *Carum carvi* 1020080 *Gossypium* spp. 201,000 1,000 *Helianthus annuus* 201,000 1,000 *Linum usitatissimum* 10300150 *Papaver somniferum* 105010 *Sinapis alba* 10400200 *Glycine max* 201,000 1,000

Annex IV

LABEL

A. Required information:

(a) For basic seed and certified seed:

1. 'EEC rules and standards'.
2. Certification authority and Member State or their initials.

3. Month and year of sealing expressed thus: "sealed . . ." (month and year),

or

Month and year of the last official sampling for the purposes of certification expressed thus: "sampled..." (month and year).

4. Reference number of lot.

5. Species.

6. Variety.

7. Category.

8. Country of production.

9. Declared net or gross weight.

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

11. Where at least germination has been retested, the word "retested..." (month and year) and the service responsible for such retesting may be indicated. Such information may be given on an official sticker attached to the official label.

(b) For commercial seed:

1. 'EEC rules and standards'.

2. 'Commercial seed (not certified as to variety)'.

3. Certification authority and Member State or their initials.

4. Month and year of sealing expressed thus: "sealed..." (month and year).

5. Reference number of lot.

6. Species.

7. Region of production.

8. Declared net or gross weight.

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

10. Where at least germination has been retested, the words "retested..." (month and year) and the service responsible for such retesting may be indicated. Such information may be given on an official sticker attached to the official label.

B. Minimum dimensions:

110 x 67 mm.

GIVEN under my Official Seal, this 29th day of January, 1981.

RAY MACSHARRY

Minister for Agriculture.

EXPLANATORY NOTE

The Regulations—

(1) provide that seed of oil plants and fibre plants may not be marketed unless it has been certified, closed and labelled in accordance with the EEC Directives on the marketing of seed of oil plants and fibre plants;

(2) provide that seed of oil plants and fibre plants may not be marketed unless it is seed of a variety registered in the National Catalogue or in the EEC Common Catalogue;

(3) provide for the registration by the Minister for Agriculture of

any person who carries on the business of processing, importing or packing of oil plants and fibre plants;
(4) revoke earlier Regulations made under the European Communities Act, 1972, relating to such seeds.