

EUROPEAN COMMUNITIES (VEGETABLE SEEDS) 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. 70/458/EEC of 29 September, 1970, as amended, hereby make the following regulations:

REG 1

Short title and commencement.

1. These Regulations may be cited as the European Communities (Vegetable Seeds) Regulations 1981, and shall come into operation on the 19th day of March, 1981.

REG 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 purposes of these Regulations;

"basic seed" means seed of varieties of vegetables 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,
- (c) subject to Regulation 7 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" means seed of vegetables which

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

(b) is intended mainly for the production of vegetables

(c) subject to Regulation 7 of these Regulations, satisfies the conditions laid down in Annex I and Annex II for certified seed,

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

(e) is subject to official post control by check inspection to verify the varietal identity and variety purity;

"Common Catalogue" means the Common Catalogue of Varieties of Vegetable 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. 70/458/EEC of 29 September 1970, as amended by the directives, act and decision

specified in paragraph (2) of this Regulation;
10.J. No. L225/7, 12 October, 1970.

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

"the Minister" means the Minister for Agriculture;

"national catalogue" means the National Catalogue of Vegetable Varieties;

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

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

"pre-basic seed" means vegetable seed of generations prior to basic 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 pre-basic seed, basic seed or certified seed,

(c) subject to Regulation 7 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;

"small packages" means packages containing seed up to a maximum net weight of:

(a) 5 kg. in case the package contains seed of legumes,

(b) 500 g. in case the package contains seed of any one of the following, namely, onions, red beet or beetroot, turnips, marrows, carrots, radish or spinach,

(c) 100 g. in case the package contains the seed of any other species of vegetable;

"standard seed" means seed of vegetables which

(a) has sufficient varietal identity and varietal purity,

(b) is intended mainly for the production of vegetables,

(c) satisfies the conditions laid down in Annex II and

(d) is subject to official post-control by check inspection to verify its varietal identity and varietal purity;

"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;

"vegetable" means plants of the following species intended for agricultural or horticultural production but not for ornamental uses:

Species	Common Name	Allium cepa L.	Onion	Allium porrum L.	Leek	Apium										
graveolens L.	Celery	Beta vulgaris L. var. esculenta L.	Red beet or beetroot	Brassica oleracea L. var. acephala DC subvar. laciniata L.	Curly kale	Brassica oleracea L. convar botrytis (L.) Alef. var. botrytis	Cauliflower	Brassica oleracea L. convar. botrytis (L.)	Sprouting broccoli or	Alef. var. italica Plenck	Calabrese	Brassica oleracea L. var. bullata subvar. gemmifera DC.	Brussels sprouts	Brassica oleracea L. var. bullata DC. et var. subauda L.	Savoy cabbage	Brassica oleracea L. var.

capitata L. f. alba D.C. Cabbage Brassica oleracea L. var. capitata
L.f. rubra (L.) Thell Red cabbage Brassica rapa L. var. rapa. (L.)
Thell Turnip Capsicum annuum L. Chilli Pepper Capsicum Cichorium endivia
L. Endive Cichorium intybus L. var. foliosum Bisch. Chicory Cucumis melo
L. Melon Cucumis sativus L. Cucumber, Gherkin Cucurbita pepo L. Marrow Daucus
carota L. Carrot Lactuca sativa L. Lettuce Lycopersicon lycopersicum (L.)
Karst. ex Farwell Tomato Petroselinum crispum (Mill.) Nym. ex. A.W.
Hill Parsley Phaseolus coccineus L. Runner bean Phaseolus vulgaris L. French
bean Pisum sativum L. (Partim) Pea, excluding Field Pea Raphanus sativus
L. Radish Solanum melongena L. Aubergine or egg plant Spinacia oleracea
L. Spinach Vicia faba L. (partim) Broad bean

(2) The directives, act and decision referred to in the definition of "the directive" in paragraph (1) of this Regulation are Council Directive No. 71/162/EEC of 30 March, 1971,¹ Council Directive No. 72/274/EEC of 20 July, 1972,² Council Directive No. 72/418/EEC of 6 December, 1972³ Act of Accession 4 and Council Decision of 1 January, 1973,⁵ Council Directive No. 73/438/EEC of 11 December, 1973,⁶ Council Directive No. 76/307/EEC of 15 March, 1976,⁷ Council Directive No. 78/55/EEC of 19 December, 1977,⁸ Council Directive No. 78/692/EEC of 25 July, 1978,⁹ Commission Directive No. 79/641/EEC of 27 June, 1979,¹⁰ Council Directive No. 79/692/EEC of 24 July, 1979,¹¹ Council Directive No. 79/967/EEC of 12 November, 1979,¹² and Council Directive No. 80/1141/EEC of 8 December, 1980.¹³
1 O.J. No. L87/24, 17 April, 1971.
2 O.J. No. L171/37, 29 July, 1972.
3 O.J. No. L287/22, 26 December, 1972.

(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 vegetable seed other than vegetable 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

National Catalogue.

5. (1) Notwithstanding Regulation 22 of these Regulations, the catalogue which immediately before the commencement of that Regulation was being maintained by the Minister under Regulation 3 of the European Communities (Vegetable Seeds) Regulations, 1973 (S.I. No. 173 of 1973), shall continue in being and shall continue to be maintained by the Minister but shall henceforth be known as the

National Catalogue of Vegetable Varieties (which catalogue is in these Regulations referred to as "the National Catalogue").

(2) (a) There shall be registered in the National Catalogue such particulars with respect to the varieties therein registered as the Minister considers proper (including, in relation to each variety, particulars with respect to a person accepting responsibility for maintenance of the variety),

4 O.J. Special Edition p. 14, 27 March, 1972.

5 O.J. No. L2/1, 1 January, 1973.

6 O.J. No. L356/79, 27 December, 1973.

7 O.J. No. L72/16, 18 March, 1976.

8 O.J. No. L16/23, 20 January, 1978.

9 O.J. No. L236/13, 26 August, 1978.

10 O.J. No. L183/13, 19 July, 1979.

11 O.J. No. L205/1, 13 August, 1979.

12 O.J. No. L293/16, 20 November, 1979.

13 O.J. No. L341/27, 16 December, 1980.

(b) the National Catalogue shall be subdivided in accordance with the requirements of Article 3 (2) of the directive.

(3) Registration of a variety in the Common Catalogue or in the Catalogue of a Member State corresponding to the National Catalogue shall be regarded as being equivalent to registration of the variety in the National Catalogue if, but only if, the Minister gives a direction under this paragraph as regards the variety.

(4) Where a variety is registered in the National Catalogue, the person registered as responsible for the maintenance for conservation of that variety shall—

(a) allow an authorised officer to examine the production of the variety for conservation and all records relating to such production including examination with respect to generations preceding basic seed,

(b) supply to an authorised officer, or allow an authorised officer to take, samples of the variety.

(5) Acceptance of a variety for inclusion in the National Catalogue and revocation of such an acceptance and deletion of such variety from that Catalogue shall be effected by the Minister in accordance with the directive.

(6) (a) There shall be charged such fees in respect of registration in the National Catalogue as the Minister, with the consent of the Minister for Finance, may determine.

(b) Such fees shall be collected and taken in such manner as the Minister for Finance directs and shall be paid into or disposed of for the benefit of the Exchequer in accordance with the directions of that Minister.

(c) The Public Offices Fees Act, 1879, shall not apply in respect of such fees.

(7) The Minister shall from time to time publish the National Catalogue.

REG 6

Marketing and Sale.

6. (1) Subject to Regulation 7 of these Regulations and to paragraph (2) of this Regulation, vegetable seed 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,

(b) it has been officially certified as pre-basic seed, basic seed or certified seed or is standard seed,

(c) it satisfies the conditions laid down in Annex II and

(d) the seed is in sufficiently homogeneous lots and in packages complying with the requirements of these Regulations.

(2) The requirements of paragraph (1) of this Regulation shall not apply to the following vegetable seed, 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 7

Derogation from Certification and Marketing Provisions.

7. (1) Subject to Regulation 14 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 14 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 basic seed or certified seed, 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) the supplier of the seed shall guarantee the germination ascertained at the provisional analysis,

(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 decision, of seed of a category specified in the decision subject to less stringent requirements than those of these Regulations for pre-basic seed, basic seed, certified seed or standard seed, or of seed of varieties included neither in the Common Catalogue nor in the National Catalogues of the Member States.

(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 basic seed certified as such in the State.

REG 8

Closing.

8. (1) Packages of basic seed, and packages of certified seed, which, in either case, are not made up in the form of small packages, 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 9 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, except in the case of small packages, be at least comprised of a lead or equivalent closing device which shall be attached to the package by the person responsible for attaching labels.

(3) Packages of 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 Regulation 9 (1) of these Regulations.

(4) Packages of standard seed shall be closed in such a manner that they cannot be opened without damaging the closing system or leaving evidence of tampering on the label or package. In addition to complying with the requirements of Regulation 9 of these Regulations such packages shall bear a lead or equivalent closing device and such closing device shall be attached by the person responsible for labelling the packages to comply with the said requirements.

(5) Small packages of certified seed shall be closed 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 9 of these Regulations or on the package. Such packages shall not be closed or reclosed except under official supervision.

REG 9

Labelling.

9. (1) The following provisions shall apply as regards packages of basic seed and certified seed, other than small packages of basic seed and certified seed:

(a) they shall be labelled with an official label (adhesive or otherwise) which has not previously been used and which gives the information and satisfies the condition as to dimensions specified in Annex IV(A) 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 and blue for certified seed,

(c) the label shall be placed on the outside of the package, but if a transparent package is used the label may be placed inside the package provided it can be read,

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

(e) where Regulation 7 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,

(f) they shall contain an official document, of the same colour as the said label, giving at least the information required under subparagraph 4, 5, 6 and 7 of paragraphs A (a) of Annex IV, and

(g) 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 (f) and (g) 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, or

(d) the package is transparent and the label is placed inside the package in a manner enabling it easily to be read.

(3) (a) Packages of standard seed and small packages of certified seed shall, in accordance with paragraph B of Annex IV, bear a supplier's label or a printed or a stamped notice in one of the official languages of the European Community.

(b) The colour of the label provided pursuant to this paragraph shall be blue for certified seed and dark yellow for standard seed.

(4) Paragraph (1) of this Regulation shall apply to packages of 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 lot reference number, the number of generations preceding certified seed

of the first generation and 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".

(5) In the case of varieties which were widely known on the 1st day of January, 1973, reference may be made on the label to any particular method for maintenance of the variety; provided that reference to any special properties which might be connected with such method shall not be so made.

REG 10

Marketing of Mixtures.

10. Notwithstanding anything contained in the Regulations mixtures of standard seed of different varieties of *Lactuca sativa* L (Lettuce) and mixtures of standard seed of different varieties of *Raphanus sativus* L (Radish) may be marketed in small packages not exceeding 50g provided that the words "mixture of varieties" and the names of the varieties making up the mixture are shown on the package.

REG 11

Chemical Treatment of Seed.

11. Any chemical treatment of pre-basic seed, basic seed, certified seed or standard seed shall be indicated either on the official label or on the supplier's label or on the package or inside it. In relation to small packages, this information may be printed directly on the container or inside it.

REG 12

Prohibition on Marketing.

12. The Minister may prohibit the marketing in all or part of the State of a variety of seed of vegetables registered in the Common Catalogue if, in his opinion, the cultivation of that variety may be harmful, from the point of view of plant health, to the cultivation of other varieties or species of plants.

REG 13

13 Sampling.

13. (1) In the official examination of vegetable seed for certification or for post-control testing, samples shall be officially drawn both from sufficiently homogeneous lots and in accordance with the International Rules for 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 14

Vegetable seed marketed in small quantities to the final consumer.

14. Notwithstanding the non-compliance with a requirement of these Regulations as to packaging, closing or marking, vegetable seed may be marketed at the retail stage to the final consumer in quantities not exceeding 5 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, marked in accordance with these Regulations.

REG 15

Registration etc.

15. (1) The Minister shall, in accordance with the provisions of these Regulations, set up and maintain a register to be known as the Register of Vegetable Seed Processors, Importers and Packers (in these Regulations referred to as "the register").

(2) On and from the 1st day of April, 1981 a person shall not carry on the business of a seed processor, a seed importer, or a seed packer, unless he is registered in the register as such.

(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 or seed packing which description shall be sufficient to identify those premises and the limits and extent thereof and also the place where the relevant vegetable seed 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 vegetable seed in any quantity exceeding 2 kg. and "importer" shall be construed accordingly;

"seed packer" means a person who packs seed into small packages;

"seed processor" means a person who assembles, dries, cleans, treats, mixes or otherwise processes (apart from measuring) vegetable seed which is intended for sale and "seed processing" and "seed process" shall be construed accordingly.

REG 16

Records, returns, etc.

16. (1) Any person who carries on the business of processing, packing or marketing vegetable seed (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 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 vegetable seed 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 vegetable seed 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, country of production, name of the relevant official authority, country of dispatch, importer and quantity of the seed.

(3) A person responsible for affixing the labels for standard seed intended for marketing shall,

(a) inform the Minister of the dates when his said responsibility begins and ends,

(b) keep records of all lots of standard seed and make them available for examination by or on behalf of the Minister for a period of not less than three years,

(c) draw samples from each lot of such seed which is intended for marketing and make them available for examination by or on behalf of the Minister for a period of not less than two years, and in case the person is the producer of standard seed, he shall, in addition to complying with the foregoing provisions of this Regulation, make available to the Minister for a period of not less than two years control samples described in Article 37 (1) (c) of the directive.

REG 17

Powers of authorised officers.

17. (1) In addition to the powers conferred by Regulation 16 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, mixing or marketing or of importing or exporting vegetable seed 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 vegetable seed 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 the 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 18

Minister may require certain seed to be disposed of.

18. (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, 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 19

Prosecution of Offences.

19. An Offence under these Regulations may be prosecuted by the Minister.

REG 20

Penalty.

20. 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 21

Saver.

21. Nothing in these Regulations shall be construed as affecting a provision 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 22

Revocation.

22. The European Communities (Vegetable Seeds) Regulation, 1973 (S.I. No. 173 of 1973) are hereby revoked.

SCHEDULE

ANNEX I

CONDITIONS FOR CROP CERTIFICATION

1. The crop shall have sufficient varietal identity and varietal purity.
2. In the case of basic seed, at least one official field inspection shall be carried out. In the case of certified seed, at least one field inspection shall be carried out, officially controlled by means of check inspection of at least 20% of the crop of each species.
3. The cultural condition of the field and the stage of development of the crop shall be such as to permit varietal identity and varietal purity and health status to be adequately checked.
4. The minimum distances from neighbouring plants which might result

in undesirable foreign pollination shall be:

A. Beta and Brassica species:

(1) From sources of foreign pollen liable to cause serious deterioration of varieties of Beta and Brassica species:

(a) for basic seed 1000m; (b) for certified seed 600m;

(2) From other sources of foreign pollen liable to cross with varieties of Beta and Brassica species:

(a) for basic seed 500m; (b) for certified seed 300m;

B. Other species:

(1) From sources of foreign pollen liable to cause serious deterioration of varieties of other species as a result of cross-fertilization:

(a) for basic seed 500m; (b) for certified seed 300m;

(2) From other sources of foreign pollen liable to cross with varieties of other species as a result of cross-fertilization:

(a) for basic seed 300m; (b) for certified seed 100m;

These distances can be disregarded if there is sufficient protection from any undesirable foreign pollination.

5. Diseases and harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level.

ANNEX II

CONDITIONS TO BE SATISFIED BY THE SEED

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

2. Diseases and harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level.

3. The seeds shall also satisfy the following conditions:

(a) Standards:

Species Minimum

analytical purity

(% by weight) Maximum

content of seeds

of other plant

species

(% by weight) Minimum

germination

(% clusters or

pure seed) Allium cepa 970.570 Allium porrum 970.565 Anthriscus

cerefolium 961.70 Apium graveolens 971.70 Asparagus officinalis 960.570 Beta

vulgaris (Cheltenham beet variety) 970.550 (clusters) Beta vulgaris (all

species) 970.570 (clusters) Brassica oleracea var botrytis 971.70 Brassica

oleracea (other species) 971.75 Brassica rapa 971.80 Capsicum

annuum 970.565 Cichorium intybus 951.565 Cichorium endivia 951.65 Citrullus

lanatus 980.175 Cucumis melo 980.175 Cucumis sativus 980.180 Cucurbita

peop 980.175 Daucus carota 951.65 Foeniculum vulgare 961.70 Lactuca

sativa 950.575 Lycopersicon lycopersicum 970.575 Petroselinum

crispum 971.65 Phaseolus coccineus 980.180 Phaseolus vulgaris 980.175 Pisum

sativum 980.180 Raphanus sativus 97170 Scorzonera hispanica 95170 Solanum
melongena 960.565 Spinacia oleracea 97175 Valerianella locusta 95165 Vicia
faba 980.180

(b) Additional requirements:

(i) legume seed shall not be contaminated by the following live
insects:

Acanthoscelides obtectus sag.

Bruchus affinis Froel.

Bruchus atomarius L.

Bruchus pisorum L.

Bruchus rufimanus Boh.

(ii) seed shall not be contaminated by live Acarina.

ANNEX III

1. Maximum weight of a seed lot

(a) Seeds of a size not less than that of a grain of wheat: 20

metric tons (b) Seeds of a size smaller than a grain of
wheat: 10 metric tons

2. Minimum weight of a sample

Species Weight (in g) Allium cepa 25 Allium porrum 20 Anthriscus cerefolium
20 Apium graveolens 5 Asparagus officinalis 100 Beta vulgaris 100 Brassica
oleracea 25 Brassica rapa 20 Capsicum annum 40 Cichorium intybus 15 Cichorium
endivia 15 Citrullus lanatus 25 Cucumis melo 100 Cucumis sativus 25 Cucurbita
pepo 150 Daucus carota 10 Foeniculum vulgare 25 Lactuca sativa 10 Lycopersicon
lycopersicum 20 Petroselinum crispum 10 Phaseolus coccineus 1000 Phaseolus
vulgaris 700 Pisum sativum 500 Raphanus sativus 50 Scorzonera
hispanica 30 Solanum melongena 20 Spinacia oleracea 75 Valerianella
locusta 20 Vicia faba 1000

In the case of F 1 hybrid varieties of the above species, the
minimum weight of the sample may be decreased to a quarter of the
specified weight. However, the sample must have a weight of at
least 5 grammes and consist of at least 400 seeds.

ANNEX IV

LABEL

A. Official label (basic seed and certified seed, excluding small
packages)

(a) Required information:

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 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 also the approximate ratio between the weight of clusters or pure seeds and total weight.
 11. Where at least germination has been retested, the words "retested . . ." (month and year) may be indicated.
- (b) Minimum dimensions:
110 x 67 mm.
- B. Supplier's label or inscription on the package (standard seed and small packages of the category 'certified seed'):
- (a) Required information:
1. "EEC rules and standards".
 2. Name and address of the person responsible for affixing the labels or his identification mark.
 3. Marketing year of the sealing or of the last examination of germination. The end of the marketing year may be indicated.
 4. Species.
 5. Variety.
 6. Category: in the case of small packages, certified seed may be marked with the letter "C" or "Z" and standard seed with the letters "ST".
 7. Reference number given by the person responsible for affixing the labels—in the case of standard seed.
 8. Reference number enabling the certified lot to be identified—in the case of certified seed.
 9. Declared net or gross weight or declared number of seeds, except for small packages of up to 500 grams.
 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 cluster or pure seeds and the total weight.
- (b) Minimum dimensions of the label (excluding small packages):
110 x 67 cm.

GIVEN under my Official Seal, this 5th day of March, 1981.

RAY MacSHARRY.
Minister for Agriculture.

EXPLANATORY NOTE.

The Regulations:

- (1) provide that vegetable seed may not be marketed unless it has been certified, closed and labelled in accordance with the EEC Directives on the marketing of vegetable seed,
- (2) provide that vegetable seed 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 vegetable seed,
- (4) revoke earlier Regulations made under the European Communities

Act, 1972, relating to such seed.