

*Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,607, 12 ta' Lulju, 2016*

*Taqsimha B*

**L.N. 256 of 2016**

**PLANT QUARANTINE ACT  
(CAP. 433)**

**Seeds of Agricultural Plants and Vegetables  
(Amendment) Regulations, 2016**

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Sustainable Development, the Environment and Climate Change has made the following regulations:-

1. (1) The title of these regulations is the Seeds of Agricultural Plants and Vegetables (Amendment) Regulations, 2016, and these regulations shall be read and construed as one with the Seeds of Agricultural Plants and Vegetables Regulations, hereinafter referred to as "the principal regulations".

Citation and scope.

S.L. 433.21

(2) The scope of these regulations is to transpose Commission Implementing Directive (EU) 2015/1955 amending Annexes I and II to Council Directive 66/402/EEC on the marketing of cereal seed.

2. Schedule II to the principal regulations shall be amended as follows:

Amends Schedule II to the principal regulations.

(a) in Section 1 Part I Point C. thereof, for the words "C. Crops to produce certified seed of hybrids of *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Hordeum vulgare*, *Triticum aestivum*, *Triticum durum*, *Triticum spelta* and self-pollinating *xTriticosecale*:", there shall be substituted the words "C. Crops to produce certified seed of hybrids of *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Triticum aestivum*, *Triticum durum*, *Triticum spelta* and self-pollinating *xTriticosecale* and crops to produce certified seed of hybrids of *Hordeum vulgare* by means of a technique other than Cytoplasmic Male Sterility (CMS):"; and

(b) immediately after Section 1 Part I Point C.2. thereof, there shall be added the following:

"3. Crops to produce basic and certified seed of hybrids of *Hordeum vulgare* by means of the technique of CMS:

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

Crop	Minimum distance
1	2
For the production of basic seed	100m
For the production of certified seed	50m

(b) The crop shall have sufficient varietal identity and purity as regards the characteristics of the components.

In particular, the crop shall conform to the following standards:

(i) The percentage by number of plants which are obviously not being true to type shall not exceed:

- for the crops used to produce basic seed, 0.1% for the maintainer and the restorer line and 0.2% for the CMS female component, and

- for the crops used to produce certified seed, 0.3% for the restorer and the CMS female component and 0.5% in case the CMS female component is a single hybrid.

(ii) The level of male sterility of the female component shall be at least:

- 99.7% for crops used to produce basic seed, and

- 99.5% for crops used to produce certified seed.

(iii) The requirements of points (i) and (ii) shall be examined in official post-control test.

(c) Certified seed may be produced in

mixed cultivation of female male-sterile component with a male component which restores fertility."

3. Schedule III to the principal regulations shall be amended as follows:

Amends  
Schedule III to  
the principal  
regulations.

(a) Section 1 Part I Point 1.C. thereof shall be substituted by the following:

"C. Hybrids of *Avena nuda*, *Avena sativa*, *Avena strigosa*, *Hordeum vulgare*, *Triticum aestivum*, *Triticum durum*, *Triticum spelta* and self-pollinating *x Triticosecale*:

The minimum varietal purity of the seed of the category certified seed shall be 90%.

In case of *Hordeum vulgare* produced by means of Cytoplasmic Male Sterility (CMS), it shall be 85%. Impurities other than the restorer shall not exceed 2%.

The minimum varietal purity shall be examined in official post-control test on an appropriate proportion of samples."; and

(b) in Section 1 Part I Point 1.E. thereof, for the words "E. Hybrids of *Secale cereale*:", there shall be substituted the words "E. Hybrids of *Secale cereale* and CMS-hybrids of *Hordeum vulgare*:".

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