

**L.N. 507 of 2021**

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

**Seeds of Agricultural Plants and Vegetables (Amendment No. 2)  
Regulations, 2021**

IN EXERCISE of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Agriculture, Fisheries, Food and Animal Rights has made the following regulations:-

**1.** (1) The title of these regulations is the Seeds of Agricultural Plants and Vegetables (Amendment No. 2) Regulations, 2021 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. 433.30.

(2) The scope of these regulations is to transpose Commission Implementing Directive (EU) 2021/971 of 16 June 2021 amending Annex I to Council Directive 66/401/EEC on the marketing of fodder plant seed, Annex I to Council Directive 66/402/EEC on the marketing of cereal seed, Annex I to Council Directive 2002/54/EC on the marketing of beet seed, Annex I to Council Directive 2002/55/EC on the marketing of vegetable seed and Annex I to Council Directive 2002/57/EC on the marketing of seed of oil and fibre plants, as regards the use of biochemical and molecular techniques.

**2.** Sub-regulation (2) of regulation 2 shall be substituted by the following new sub-regulation:

Amends regulation 2 to the principal regulations.

"(2) These regulations also apply to the production, with a view to marketing and to the marketing of seeds of agricultural plants and vegetables of the genera, species and their hybrids listed in Schedule I of these regulations, within the European Union and shall apply without prejudice to the plant health rules laid down by Regulation (EU) 2016/2031 on protective measures against pests of plants."

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

Amends Schedule II to the principal regulations.

(a) the following point shall be added between points 4 and A. 1. of Part 1 Agricultural Plants Section I. Cereals:

"4.a In the case where, following the

B 4478

implementation of points 1., 4. and A.1, there is still doubt as to the varietal identity of the seed, the certification authority may use, for the examination of that identity, an internationally recognised and reproducible biochemical or molecular technique, in accordance with the applicable international standards.";

(b) the following point shall be added between points 4 and 5 of Part 1 Agricultural Plants Section II. Fodder Plants:

"4.a In the case where, following the implementation of points 1. and 4., there is still doubt as to the varietal identity of the seed, the certification authority may use, for the examination of that identity, an internationally recognised and reproducible biochemical or molecular technique, in accordance with the applicable international standards."; and

(c) the following point shall be added between points 4 and 5 of Part 2 Vegetables.

"4.a In the case where, following the implementation of points 1. and 4., there is still doubt as to the varietal identity of the seed, the certification authority may use, for the examination of that identity, an internationally recognised and reproducible biochemical or molecular technique, in accordance with the applicable international standards.".

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