

SCHEDULE 4

Exceptions

PART 2

Marketing seed that does not comply with Schedule 2

Early movement of seed

6.—(1) In this Schedule officially certified early movement seed of any category, listed in regulation 5, means seed to which sub-paragraph (2) or (3) applies.

(2) This sub-paragraph applies to—

- (a) seed of a listed variety officially certified as early movement seed in the United Kingdom; or
- (b) seed of a listed variety officially certified as early movement seed by or on behalf of the competent seed certification authority in another member State.

(3) This sub-paragraph applies to—

- (a) seed of a listed variety—
 - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official field inspection (whenever carried out) to satisfy the conditions set out in the Directive relating to the crop from which seed is to be produced specified in Schedule 2;
 - (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Schedule 2 for seed certification;
 - (iii) for which the results of a germination test are awaited but for which a provisional analytical report has been obtained indicating what the percentage of germination of the seed is likely to be; and
 - (iv) for which a seed test report has been issued under these Regulations indicating that the seed has achieved the required minimum analytical purity standard set out in the Directive relating to that seed specified in Schedule 2;
- (b) seed of a listed variety—
 - (i) that has been imported into the United Kingdom as not finally certified seed harvested in another member State; and
 - (ii) that complies with the requirements of sub-paragraph (3)(a)(ii) to (iv);

other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made, in the United Kingdom, that has not been finally determined.