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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 317**

**SEEDS**

**The Oil and Fibre Plant Seed (Scotland) Regulations 2004**

*Made* - - - - - *1st July 2004*  
*Laid before the Scottish*  
*Parliament* - - - - - *2nd July 2004*  
*Coming into force* *26th September 2004*

**THE OIL AND FIBRE PLANT SEED  
(SCOTLAND) REGULATIONS 2004**

PART I

GENERAL

1. Citation, commencement and extent
2. Interpretation
3. Definitions of seed categories
4. Definition of marketing
5. Seed to which the Regulations apply

PART II

MARKETING

6. Marketing of seed
7. Mixtures
8. Exception for scientific selection work and for tests and trials
9. Varietal associations
10. General exemptions
11. Marketing of officially certified lower germination seed
12. Marketing of early movement seed
13. Requirement for homogeneity

PART III

PROCEDURES FOR ISSUING OFFICIAL CERTIFICATES

14. Applications for official certificates
15. Sampling

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PART IV

PACKAGING AND LABELLING REQUIREMENTS FOR FULLY CERTIFIED SEED

16. Sealing of packages of fully certified seed
17. Labelling of packages of fully certified seed
18. Marketing of unpacked seed

PART V

PROCEDURES FOR ISSUING BREEDER'S CONFIRMATIONS

19. Breeder's confirmations

PART VI

PACKAGING AND LABELLING REQUIREMENTS  
RELATING TO BREEDER'S CONFIRMATION

20. Sealing of packages of seed in relation to breeder's confirmation
21. Labelling of packages of seed in relation to breeder's confirmation

PART VII

MISCELLANEOUS

22. Comparative tests and trials
  23. Civil liabilities of sellers of seed
  24. Service of notices
  25. Written and electronic communication
  26. Amendment to the Seeds (Fees) (Scotland) Regulations 2002
  27. Revocations and transitional provisions
- Signature

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SCHEDULE 1 SPECIES OF SEED TO WHICH THE REGULATIONS  
APPLY

SCHEDULE 2 OFFICIAL CERTIFICATES AND BREEDER'S  
CONFIRMATIONS

PART I OFFICIAL CERTIFICATES

1. Applications for seed harvested in the United Kingdom
2. When applications will be refused
3. When applications may be refused
4. Applications for seed harvested in an EEA State or third country

PART II BREEDER'S CONFIRMATIONS

1. Applications
2. When applications will be refused
3. When applications may be refused

SCHEDULE 3 PARTICULARS TO BE SPECIFIED IN AN OFFICIAL  
CERTIFICATE OR A BREEDER'S CONFIRMATION

1. Particulars to be specified in an official certificate
2. Particulars to be specified in a breeder's confirmation

SCHEDULE 4 REQUIREMENTS FOR BASIC SEED, CERTIFIED  
SEED, CERTIFIED SEED OF THE FIRST  
GENERATION, CERTIFIED SEED OF THE SECOND

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GENERATION, CERTIFIED SEED OF THE THIRD  
GENERATION AND COMMERCIAL SEED

PART I CONDITIONS RELATING TO CROPS  
FROM WHICH SEED OTHER THAN  
COMMERCIAL SEED IS OBTAINED

1. Methods of crop testing
2. Varietal identity and varietal purity
3. Crop inspection
4. Harmful organisms in the crop
5. Previous cropping
6. Isolation distances – general
7. Isolation distances – minimum distance
8. Standards for varietal purity
9. Crop conditions for Pre basic Seed

PART II CONDITIONS RELATING TO BASIC  
SEED, CERTIFIED SEED, CERTIFIED  
SEED OF THE FIRST GENERATION,  
CERTIFIED SEED OF THE SECOND  
GENERATION, CERTIFIED SEED  
OF THE THIRD GENERATION AND  
COMMERCIAL SEED

10. Standards for varietal purity
11. Standards for varietal purity for hybrid varieties of swede rape
12. Parental ratio in production of Certified Seed of hybrids of sunflower
13. Further standards and conditions of varietal purity
14. Further provisions relating to varietal purity
15. Harmful organisms in the seed

PART III OFFICIAL EXAMINATIONS USED TO  
ASCERTAIN WHETHER A CROP OR  
SEED LOT MEETS THE CONDITIONS  
RELATING TO BASIC SEED, CERTIFIED  
SEED, CERTIFIED SEED OF THE FIRST  
GENERATION, CERTIFIED SEED OF  
THE SECOND GENERATION, CERTIFIED  
SEED OF THE THIRD GENERATION AND  
COMMERCIAL SEED

16. Methods for official examinations  
SCHEDULE 5

PART I SAMPLING OF SEED LOTS

1. Definitions
2. Obtaining a submitted sample
3. Primary sample size
4. Condition of the seed lot
5. Seed lot containers
6. Sampling from sacks – minimum number of containers to be sampled
7. Sampling from sacks or similar containers
8. Sampling from small containers – general
9. Sampling from small containers – moisture proof containers
10. Sampling from small containers – primary samples
11. Sampling from large containers
12. Sampling from a seed stream
13. Sampling instruments – general
14. Sampling instruments – instruments and methods

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15. Sampling instruments – power to allow other instruments and methods
16. Sampling instruments – instruments for drawing primary samples
17. Methods of use of dynamic spear samplers, stick samplers, cargo samplers and seed stream samplers – general
18. Methods of use of dynamic spear samplers, stick samplers, cargo samplers and seed stream samplers – specific
19. Obtaining a submitted sample – composite sample division instruments
20. Method of use of riffle divider
6. Methods of use of a centrifugal divider

PART II    MAXIMUM WEIGHT OF A SEED  
LOT AND MINIMUM WEIGHT OF A  
SUBMITTED SAMPLE

22. Maximum weight of a seed lot
23. Margin by which seed lots can exceed maximum weight
24. Minimum weight of a sample

SCHEDULE 6

PART I    GENERAL

1. Method of referring to species of seed
2. Method of referring to varieties of seed

PART II    LABELS

3. Label for a package of Breeder's Seed
4. Official label for a package of Pre-basic Seed
5. Official label for a package of Basic Seed or Seed of a Certified Generation
6. Official label for a package of Commercial Seed
7. Official label for a package of a varietal association of seed

PART III    SMALL PACKAGES

8. Label for a small package of Pre basic Seed, Basic Seed, Seed of a Certified Generation or Commercial Seed

PART IV    PARTICULARS TO BE MARKED  
OR DISPLAYED ON THE SALE OF  
UNPACKETED SEED

9. Particulars to be marked or displayed on the sale of unpacketed seed

PART V    INFORMATION IN RESPECT OF SEED  
IMPORTED FROM COUNTRIES WHICH  
ARE NOT EEA STATES IN PACKAGES  
EXCEEDING 2 KILOGRAMS NET  
WEIGHT

10. Information to be supplied in respect of seed imported from a country which is not an EEA State in a package exceeding 2 kilograms net weight

PART VI    PRINTING OF SPECIFIED MATTERS ON  
PACKAGES (WHOLE BAG LABELLING)

11. Packages sealed in Scotland – printers' returns
12. Packages sealed in Scotland – individual serial numbers
13. Packages sealed in Scotland – printing or stamping
14. Packages sealed in Scotland – particulars to be included in the printing or stamp
15. Packages sealed in Scotland – lower germination seed
16. Packages sealed in Scotland – record keeping for lower germination seed
17. Seed packages sealed in the United Kingdom but not in Scotland, or in an EEA State other than the United Kingdom

SCHEDULE 7    LIMITS OF VARIATION  
GERMINATION  
ANALYTICAL PURITY

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CONTENT OF SEEDS OF OTHER  
SPECIES  
NUMBER OF SEEDS OF OTHER SPECIES

SCHEDULE 8      REVOCATIONS  
Explanatory Note