

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2004 No. 317**

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

**PART II  
MARKETING**

**Marketing of seed**

- 6.—(1) Subject to the provisions of this Part, no person shall market any seed unless—
- (a) it is marketed in seed lots or in parts of seed lots; and
  - (b) it is—
    - (i) Commercial Seed; or
    - (ii) seed of a plant variety of a species specified in Part I of Schedule 1 (varieties of plant species on national lists) to the Seeds (National Lists of Varieties) Regulations 2001<sup>(1)</sup> accepted on to a UK National List or the Common Catalogue and which is fully certified Pre-basic Seed, fully certified Basic Seed or Seed of a Certified Generation; or
    - (iii) Breeder's Seed.
- (2) Paragraph (1) shall not apply to the marketing of seed which has not yet been fully certified if—
- (a) the seed is marketed for processing;
  - (b) the identity of the seed is ensured; and
  - (c) the seed has been harvested from a crop which has been found by an official field inspection to satisfy the conditions specified in Part I of Schedule 4 or Annex I (crop conditions) of the Oil and Fibre Plant Seed Directive for the relevant category of seed.
- (3) Where seed is sampled in an untreated state for either the official examination referred to in paragraph 2(c) of Part I of Schedule 2, or for an examination or test carried out by a European Authority other than the Scottish Ministers, and the seed is subsequently subjected to chemical treatment the seller shall, upon or before delivering the seed to the purchaser, provide the purchaser with a statement in writing that the seed has been subsequently subjected to chemical treatment and specifying the chemical nature of such treatment.
- (4) Notwithstanding paragraph (1), no person shall market seed of a genetically modified variety unless it is clearly indicated, in the sales catalogue of the person marketing the seed and in any other marketing information or marketing representations provided by that person, as having been genetically modified.
- (5) Any person marketing seed which has been imported from a country which is not an EEA State and which exceeds 2 kilograms of seed shall supply the Scottish Ministers, in such manner and at such time as the Scottish Ministers may require, with the particulars relating to the seed specified in paragraph 10 of Part V of Schedule 6.

---

(1) S.I.2001/3510.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---