

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2005 No. 329**

**SEEDS**

**The Fodder Plant Seed (Scotland) Regulations 2005**

<i>Made</i>	- - - -	<i>8th June 2005</i>
<i>Laid before the Scottish</i>		
<i>Parliament</i>	- -	<i>9th June 2005</i>
<i>Coming into force</i>		<i>1st July 2005</i>

**THE FODDER PLANT SEED (SCOTLAND) REGULATIONS 2005**

**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
- 6A Importation from a country granted equivalence
7. Marketing of seed of a Higher Voluntary Standard
8. Mixtures
- 8A Preservation mixtures
9. Exception for scientific purposes or selection work
- 9A Exception for test and trial seed
- 9B Exception for conservation varieties
10. General exemptions
11. Marketing of officially certified lower germination seed
12. Marketing of early movement seed
13. Requirement for homogeneity
- 13A Certification and labelling for export

**Changes to legislation:** There are currently no known outstanding effects for the The Fodder Plant Seed (Scotland) Regulations 2005. (See end of Document for details)

### PART III

#### PROCEDURES FOR ISSUING OFFICIAL CERTIFICATES

14. Applications for official certificates
15. Sampling

### 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 unpacketed seed
19. Marketing of Excepted Seed Marketed in Bulk

### PART V

#### PROCEDURES FOR ISSUING BREEDER'S CONFIRMATIONS

20. Breeder's confirmations

### PART VI

#### PACKAGING AND LABELLING REQUIREMENTS RELATING TO BREEDER'S CONFIRMATION

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

### PART VII

#### MISCELLANEOUS

23. Comparative tests and trials
  24. Civil liabilities of sellers of seed
  25. Service of notices
  26. Written and electronic communication
  - 26A Certification in a Crown Dependency or a country granted equivalence
  - 26B Transitional provision for official or producer's labels on IP completion day
  27. Amendment to the Seeds (Fees) (Scotland) Regulations 2002
  28. Revocations and supplementary provisions
- Signature

---

#### 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 outside the United Kingdom

##### PART II BREEDER'S CONFIRMATIONS

5. Applications

6. When applications will be refused
  7. When applications may be refused
- SCHEDULE 3      PARTICULARS TO BE SPECIFIED IN AN OFFICIAL  
CERTIFICATE, A BREEDER'S CONFIRMATION  
OR AN AUTHORISATION TO MARKET A  
PRESERVATION MIXTURE
1. Particulars to be specified in an official certificate
  2. Particulars to be specified in a breeder's confirmation
  3. Particulars to be specified in an authorisation to market a preservation mixture
- SCHEDULE 4      REQUIREMENTS FOR PRE-BASIC SEED, BASIC  
SEED, CERTIFIED SEED, CERTIFIED SEED OF THE  
FIRST GENERATION, CERTIFIED SEED OF THE  
SECOND GENERATION AND COMMERCIAL SEED
- PART I      CONDITIONS RELATING TO CROPS  
FROM WHICH SEED OTHER THAN  
COMMERCIAL SEED IS OBTAINED
1. Methods of ascertaining whether crop requirements are met
  2. Varietal identity and varietal purity
  3. Crop inspection
  4. Pests in the crop
  5. Previous cropping
  6. Limitations on number of harvest years
  7. Isolation distances – general
  8. Isolation distances – minimum distances
  9. Standards for varietal purity
  10. 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 AND COMMERCIAL SEED
11. Standards for varietal purity
  12. Pests in the seed
  13. Standards for germination, analytical purity and content of seed of other plant species
  14. Standards regarding content of seeds of other plant species
- SCHEDULE 4A      STANDARDS FOR CERTIFICATION OF  
CONSERVATION VARIETIES
- 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
- PART II      PARTICULARS TO BE SPECIFIED IN AN  
OFFICIAL CERTIFICATE
- PART III      CONDITIONS RELATING TO CROPS  
FROM WHICH SEED IS OBTAINED
1. Varietal identity and varietal purity
  2. Harmful organisms in the crop
- PART IV      CONDITIONS RELATING TO SEED OF A  
CONSERVATION VARIETY
1. Standards of germination, analytical purity and content of seed of other plant species

**Changes to legislation:** There are currently no known outstanding effects for the The Fodder Plant Seed (Scotland) Regulations 2005. (See end of Document for details)

2. Harmful organisms in the seed
3. Varietal purity

PART V EXAMINATIONS  
SCHEDULE 4B Requirements for preservation mixtures  
PART I Conditions for directly harvested preservation mixtures

1. The percentage of the constituents of the mixture that are...
2. The germination rate of the constituent in paragraph 1 is...
3. The maximum content of species which do not comply with...
4. The mixture does not contain *Avena fatua* , *Avena sterilis*...
5. The maximum content of *Rumex* spp. , other than *Rumex*...

PART II Conditions for crop-grown preservation mixtures

1. The constituents are species which are typical for the habitat...
2. Each constituent of the mixture has been multiplied for no...

PART III Examinations

1. All visual inspections and examinations used to ascertain whether a...

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 of seed lots intended to be Excepted Seed Marketed in Bulk
13. Sampling from a seed stream
14. Sampling instruments – general
15. Sampling instruments – instruments and methods
16. Sampling instruments – power to allow other instruments and methods
17. Sampling instruments – instruments for drawing primary samples
18. Methods of use of dynamic spear samplers, stick samplers, cargo samplers and seed stream samplers – general
19. Methods of use of dynamic spear samplers, stick samplers, cargo samplers and seed stream samplers
20. Obtaining a submitted sample – composite sample division instruments
21. Method of use of riffle divider
22. Method of use of a centrifugal divider

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

23. Maximum weight of a seed lot
- 23A Increase to maximum weight of a seed lot of grasses
24. Margin by which seed lots can exceed maximum weight
25. Maximum weight of a seed lot of mixtures
26. 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
- 6A Official label for a package of test and trial seed
- 6B Official label for a package of seed of a Conservation Variety
7. Official label for a package of a mixture of seeds to which regulation 8 applies
8. Further particulars to be given in respect of a mixture of seeds – other than a mixture in a small package of seeds not intended for use for agricultural purposes where said mixtures contain *Festulolium*
- 8A Producer's label for a package of seed of a preservation mixture
- PART III LABELS FOR SMALL ... A OR SMALL ... B PACKAGES
9. Label for a small ... B package of Basic Seed, Seed of a Certified Generation or Commercial Seed
10. Label for a small ... A or small ... B package of Mixtures
- PART IV PARTICULARS TO BE MARKED OR DISPLAYED ON THE SALE OF UNPACKETED SEED
11. Particulars to be marked or displayed on the sale of unpacketed seed
- PART V INFORMATION IN RESPECT OF SEED IMPORTED FROM COUNTRIES OUTSIDE THE UNITED KINGDOM IN PACKAGES EXCEEDING 2 KILOGRAMS NET WEIGHT
12. Information to be supplied in respect of seed imported from outside the United Kingdom in a package exceeding 2 kilograms net weight
- PART VI PRINTING OF SPECIFIED MATTERS ON PACKAGES (WHOLE BAG LABELLING)
13. Packages sealed in Scotland – printers' returns
14. Packages sealed in Scotland – individual serial numbers
15. Packages sealed in Scotland – printing or stamping
16. Packages sealed in Scotland – particulars to be included in the printing or stamp
17. Seed packages sealed in the United Kingdom but not in Scotland, or outside the United Kingdom
- SCHEDULE 7 LIMITS OF VARIATION
- GERMINATION
- ANALYTICAL PURITY – (a) grasses
- ANALYTICAL PURITY – (b) legumes and crucifers
- CONTENT OF SEEDS OF OTHER SPECIES IN GRASSES
- CONTENT OF SEEDS OF OTHER SPECIES OR VARIETIES IN LEGUMES AND CRUCIFERS
- NUMBER OF SEEDS OF OTHER SPECIES
- SCHEDULE 8 REVOCATIONS

**Changes to legislation:** There are currently no known outstanding effects for the The Fodder Plant Seed (Scotland) Regulations 2005. (See end of Document for details)

SCHEDULE 9	DEFINITION OF THE FODDER PLANT SEED DIRECTIVE
Explanatory Note	

**Changes to legislation:**

There are currently no known outstanding effects for the The Fodder Plant Seed (Scotland) Regulations 2005.