

SCHEDULE 2

OFFICIAL CERTIFICATES AND BREEDER'S CONFIRMATIONS

PART I

OFFICIAL CERTIFICATES

When applications will be refused

2.—(1) The Scottish Ministers shall refuse to issue an official certificate in respect of a seed lot unless—

- (a) an application has been made to the Scottish Ministers, in writing in such form and manner and at such time as the Scottish Ministers may require, and has been accompanied by such information, material, records, illustrations and other documents as they may require, in respect of—
 - (i) the seed lot or seed lots to be used for the production of the crop or crops from which is to be or has been obtained the seed lot in respect of which the application for an official certificate has been made; and
 - (ii) the crop or crops from which the seed lot is to be or has been obtained;
- (b) an official examination of the crop or crops from which was obtained the seed lot in respect of which the application for an official certificate has been made has shown that the crop or crops met the standards appropriate to the category of seed referred to in the application specified in Part I of Schedule 4; and
- (c) an official examination of a sample of the seed lot has shown that the seed lot meets the standards appropriate to the relevant category of seed referred to in the application specified in Part II of Schedule 4,

except that—

- (i) paragraphs 2(1)(a) and (b) shall not apply in relation to an application for the issue of an official certificate in respect of Commercial Seed; and
- (ii) paragraph 2(1)(c), in so far as it relates to standards of percentage of germination specified in paragraph 13 of Part II of Schedule 4, shall not apply in relation to an application for the issue of an official certificate in respect of lower germination seed.

(2) Notwithstanding sub paragraph (1), the Scottish Ministers shall refuse to issue an official certificate certifying a seed lot either as—

- (a) Basic Seed if the seed lot was certified at the time of the relevant application as Seed of a Certified Generation; or
- (b) Pre basic Seed if the seed lot was certified at the time of the relevant application as either Basic Seed or Seed of a Certified Generation,

unless the application is accompanied by the written consent of the Breeder.