
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 59

**The Seed and Propagating Material (EU Exit)
(Scotland) (Amendment) Regulations 2019**

PART 2

**AMENDMENTS MADE UNDER SECTION 2(2)
OF THE EUROPEAN COMMUNITIES ACT 1972**

The Vegetable Seeds Regulations 1993

- 2.—(1) The Vegetable Seeds Regulations 1993 ^{M1} are amended as follows.
- (2) In regulation 3 (interpretation)—
- (a) in paragraph (1)—
- (i) in the definition of “Commission Directive 2009/145”, at the end insert “, as amended by Commission Implementing Directive 2013/45/EU ^{M2}”,
- (ii) after the definition of “Conservation Variety” insert—
- ““Directive 2001/18/EC” means Directive 2001/18/EC of the European Parliament and of the Council on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC^{M3}, as last amended by Directive (EU) 2015/412 ^{M4},”
- (iii) for the definition of “genetically modified” substitute—
- ““genetically modified” has the same meaning as it has for the purposes of Directive 2001/18/EC;”
- (iv) omit the definition of “Member State”,
- (b) in each of paragraphs (3A), (3B) and (3C) ^{M5}—
- (i) for “a Member State” in each place where it occurs, substitute “ an EEA state ”,
- (ii) for “that Member State” in each place where it occurs, substitute “ that EEA state ”.
- (3) For regulation 4(2 (seeds to which the regulations apply) substitute—
- “(2) These Regulations do not apply to seed intended for export to a country which is not an EEA state (other than regulation 6C (certification and labelling for export)).”
- (4) In regulation 5 (marketing of seeds)—
- (a) for “a Member State” in each place where it occurs, substitute “ an EEA state ”,
- (b) in paragraph (3), for “the Fodder Plant Seeds Regulations 1993” substitute “ the Fodder Plant Seed (Scotland) Regulations 2005 ^{M6} ”,
- (c) in paragraph (13), for “that Member State” substitute “ that EEA state ”,
- (d) in paragraph (14), for “Member States” substitute “ EEA states ”.

(5) In regulation 6A(1)(c) (breeder's confirmations) ^{M7}, for “Member State” substitute “ EEA state ”.

(6) After regulation 6A, insert—

“Importation from outside the European Union

6B. Seed imported from outside the European Union must be labelled with a label approved by the Organisation for Economic Cooperation and Development for the varietal certification on the control of seed moving in international trade.

Certification and labelling for export

6C.—(1) The Scottish Ministers may certify the quality of any seed intended for export.

(2) Following certification in accordance with paragraph (1), any seed exported must be labelled with a label approved by the Organisation for Economic Cooperation and Development for the varietal certification on the control of seed moving in international trade.”.

(7) In schedule 4 (requirements for Basic Seed, Certified Seed, Certified Seed of a Conservation Variety, Standard Seed, Standard Seed of a Conservation Variety and Standard Seed of an Amateur Variety), in Part I (Basic Seed and Certified Seed), in paragraph 2(b) (varietal identity and varietal purity), for “Member State” substitute “ EEA state ”.

(8) In schedule 6 (labels and marking)—

(a) in Part I(A)(a) (official label for a Package of Pre-basic Seed: prescribed contents), in point 1, for “Member State” substitute “ EEA state ”,

(b) in Part I(B)(a) (official label for a Package of Basic Seed or for a Package (Other than a Small Package) of Certified Seed: prescribed contents), in point 2, for “Member State” substitute “ EEA state ”.

Commencement Information

I1 [Reg. 2](#) in force at 28.3.2019, see [reg. 1\(1\)\(a\)](#)

Marginal Citations

M1 [S.I. 1993/2008](#), amended by [S.I. 1996/1452](#), [S.I. 1997/616](#), [S.I. 1999/1863](#), [S.S.I. 2000/250](#), [S.I. 2001/3510](#), [S.S.I. 2007/305](#), [S.S.I. 2010/219](#), [S.S.I. 2010/425](#), [S.I. 2011/1043](#), [S.S.I. 2013/326](#) and [S.S.I. 2016/434](#).

M2 OJ L 213, 8.8.2013, p.20. The definition was inserted by [S.S.I. 2010/425](#).

M3 OJ L 106, 17.04.2001, p.1. The definition was inserted by [S.S.I. 2010/425](#).

M4 OJ L 68, 13.3.2015, p.1.

M5 Paragraphs (3A) to (3C) were inserted by [S.S.I. 2000/250](#).

M6 [S.S.I. 2005/329](#), amended by [S.S.I. 2006/313](#), [S.S.I. 2006/448](#), [S.S.I. 2007/224](#), [S.S.I. 2007/536](#), [S.S.I. 2009/223](#), [S.S.I. 2009/330](#), [S.S.I. 2010/219](#), [S.I. 2011/1043](#), [S.S.I. 2012/5](#), [S.S.I. 2013/326](#), [S.S.I. 2016/68](#), [S.S.I. 2016/434](#) and [S.S.I. 2017/384](#).

M7 [Regulation 6A](#) was inserted by [S.I. 1999/1863](#).

Changes to legislation:

There are currently no known outstanding effects for the The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019, Section 2.